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Abstract

A critical, interpretivist, qualitative study, this project examines how standards-based reform impacts special education at an urban school, called Westvale Elementary School. The school was labeled a Persistently Low Achieving school under the No Child Left Behind Act and was thus required to undergo a “transformation” process. The demographics of the school at the time of the study were: 97% free and reduced lunch, 40% Limited English Proficiency, 21% students with disabilities. The racial makeup of the school is: 50% Hispanic or Latino, 35% Black or African American, and 10% white. My methodological approach drew primarily upon 19 in-depth, semi-structured interviews with teachers, administrators, and policy makers. All participants were either associated with, working at, or overseeing Westvale Elementary School. I also conducted observations at over 15 public events relevant to the study. Interview and observation data were contextualized through an examination of public documents, such as policy statements or media reports.

Findings indicate that the transformation process that Westvale was required to undertake was both a dramatic and sanction-laden one. For instance, prior to the transformation process, Westvale operated fully inclusive classrooms and afterwards the school shifted to a variety of self-contained, tracked, and pull-out programs. Thus, a key finding of this study was that standards-based reform impacted the physical inclusion of students with disabilities, even if they were accessing, at least to some degree, regular education content. Findings also showed how standards-based reform policies, including the implementation of the Common Core standards, testing, teacher and leader evaluations, and accountability systems significantly impacted special education,

particularly in this “failing” school. Financial incentives, the media, and research all played distinct roles in disseminating standards-based reform ideology, which forced failing urban schools to adopt standards-based reform policy, even if local educators and administrators believed that the policies negatively impacted students. Unfortunately, the study also documents how special education is often an after-thought during local, district, state, and national policy-making, which resulted in policies ill-suited for the needs of students with disabilities. Finally, I illustrate how standards-based reform relies on discourse that blames teachers for the failures of urban schools, essentially removing the need to remedy the inequities existent in our educational system. I conclude this study with a series of recommendations directed to teachers, administrators, and policy-makers.

**The Impact of Standards-Based Reform on Special Education: An Exploration of
Westvale Elementary School**

By

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Dissertation

Submitted in partial fulfillment of the requirements for the Degree of Doctor of
Philosophy in Special Education in the Department of Teaching and Leadership in the
School of Education in the Graduate School of Syracuse University

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For Angela

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It is truly amazing to reflect upon the countless ways I have evolved over the past seven years. I came to Syracuse University with an inkling that I wanted to be a part of something bigger than myself and that I wanted to help mitigate the world's injustices. I however, never could have predicted the opportunities and support I would receive from so many people in the Syracuse University community. As I approached the end of my studies, the dissertation felt frightening and unattainable, but I was encouraged and supported by so many people. For that, I am indebted to you all.

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Chapter 1

Introduction

To set a backdrop for this study, Allan, a participant in this study and a school level administrator, painted a picture of how classrooms have evolved in recent years.

When my daughter was in kindergarten she went to my former school--in the same classroom with the same teacher....My kindergarten room was full of toys and there were tables. I still have my report card; my mom saved everything. I was greeted with help tying my shoes. I couldn't write my name. But, when I went to open house for my daughter, there wasn't a toy in the kindergarten room. They were sitting at desks and she had a report card that I probably would've received in third-grade, you know, how many words? How many sounds? So we have really changed things.

For all students, with and without disabilities, education looks different today than it did several decades ago. In large part, changes in how students experience education are connected to the emergence of the standards-based reform movement. The current standards-based reform movement emphasizes a national set of standards linked to standardized tests, accountability systems, and teacher and leader evaluations. The standards-based reform movement also currently promotes school choice and the labeling and restructuring underperforming schools. The definition of standards-based reform movement has been evolving for decades, but generally focuses on raising standards for achievement and increasing accountability of schools to demonstrate those gains.

The goal of this study was to understand how current standards-based reform movement was impacting special education. In recent years, standards-based reforms

have gained striking momentum, influenced by the No Child Left Behind Act (NCLB, 2002) and more recent (beginning in 2010) Race to the Top competition grants. These reforms affect the education for all students across the United States, but have specific ramifications for students with disabilities. Particularly, this study looks at how students with disabilities who attend an urban elementary school labeled as “failing” are disproportionately affected by standards-based reforms. President Obama (2011), in his State of the Union Address, laid out his agenda for educational reform, stating that:

If we raise expectations for every child, and give them the best possible chance at an education, from the day they are born until the last job they take — we will reach the goal that I set two years ago: By the end of the decade, America will once again have the highest proportion of college graduates in the world. (para. 45)

In this statement, the President includes a set of lofty goals; the specifics of which policies will allow our country to reach these objectives are not simple, neutral, or obvious. The standards-based reform movement assumes that to reach such goals, it is necessary to use accountability systems, standardized curriculum, state examinations, teacher and leader evaluations, as well as to identify failing schools. As the implementation of these policies is increasingly shaping urban education, it is important to understand how they affect all students, including those with disabilities.

Special education plays a key role in the United States educational system, and presents unique challenges for educational policy makers. According to Bejoian and Reid (2005), NCLB "provides a current and relevant example of how those highly politicized areas of public policy—education (including the nature of the supporting disciplines) and

disability— converge to control the lives of people with (and without) disabilities” (p. 220). Understanding the nature and complex processes of how these reforms are affecting students with disabilities requires further scrutiny. Thus, it could not be more timely to embark upon research that seeks to garner a deeper understanding of the intersections of special education and standards-based reforms.

National History of Standards-Based Reform

For years, the use of testing has provoked intense debate and controversy in American society. Large-scale accountability systems are practically synonymous with increased reliance on high stakes and standardized testing. Tests are considered high stakes when “results are used to make significant educational decisions about schools, teachers, administrators, and students” (Amrein & Berliner, 2002, p. 1). Historically, proponents of testing and accountability systems have characterized them as impartial instruments, which help educators understand innate differences either within or between individuals. Critics of testing argue otherwise. According to Wigdor and Garner (1982):

There are critics who see tests and testing as an example of science and technology run amok, producing discrimination and unequal treatment. These critics prescribe a prompt and radical remedy in the form of a complete moratorium on tests and testing. There are proponents who argue that tests and testing offer the best hope of assuring fairness and objectivity in the treatment of all members of society. (p.7)

Although this statement was written nearly three decades ago, the fervor surrounding this debate has only grown, particularly due to increased reliance on testing in nearly all large-scale school reform decisions.

The first systemic push for testing in the United States can be traced back to the 1950s, the Cold War, and the launch of Sputnik. Global competition was a key aspect of the Cold War era, and an improved educational system became touted as a panacea for ensuring that we would prevail in terms of global competition and ensure a victory over Russia. Improving academic skills of students in fields such as science, mathematics, and citizenship were deemed a critical need and it was assumed that increased achievement would be achieved through the implementation of widespread assessment practices in schools (Kreitzer, Madaus, & Haney, 1989).

An important moment in this history came in the 1970s, when the “minimum competency” reform was popularized. This reform strategy assumed that testing basic proficiencies of students was necessary so that, in theory, all students would learn at least the minimal skills to become productive American citizens (Amrein & Berliner, 2002).

In 1983, a new push for increased accountability resulted from the publication of *A Nation at Risk* (National Commission on Excellence in Education, 1983). The report argued that United States schools were performing poorly in comparison to other nations, and that the nation was in jeopardy of losing its high global standing. To solve this problem, the report recommended that schools and colleges set higher standards through increased student accountability (National Commission on Excellence in Education, 1983).

In the U.S., this marked the birth of a “high stakes testing” movement (Natriello & Pallas, 2001) and throughout the 1980s and 1990s many states began to implement accountability systems and standardized testing. In 1994, a report, Goals 2000: Educate America Act (Pub. L. 103-227, § 1-3, 1994), was published. In the report the government, under President Clinton, articulated eight goals related to academic standards, student progress, and student support. States were expected to create standards aligned with recommendations from subject-based national organizations (Watt, 2005).

Meanwhile, Governor George W. Bush was preparing his own form of a standards-based accountability system. While acting as governor of Texas, Bush implemented the Texas Assessment of Academic Skills test (TAAS). The multiple choice, standardized exam was used to test students yearly. Proponents of the system dubbed it the "Texas Miracle" because of the supposed gains in test scores and a reduced achievement gap between black and white students. The numbers that supported the gains heralded by then Governor Bush were later criticized as inaccurate (Lipman, 2000). However, riding on the tails of the proclaimed success of the “Texas Miracle,” President Bush justified instituting a national accountability system.

No Child Left Behind Act

Until the Bush Administration implemented NCLB, there had never been a comprehensive federal mandate towards standards-based reform. When NCLB was written, it was described as having two basic goals. The first was to close the achievement gap between high performing and low performing subgroups of students and

the second was to hold schools, local educational agencies, and states accountable for the academic achievement of all students (Abernathy, 2007).

To reach these goals, NCLB mandated that: 1) all children will be academically proficient by 2014; 2) proficiency will be defined by each state and will be in line with challenging academic content standards; 3) all teachers will be “highly qualified;” 4) states and school districts will be held accountable for assuring that all schools advance in accordance with expectations and sanctions will occur for schools who do not meet expectations; 5) student progress will be measured through validated state assessments which are aligned with state standards; and 6) all results will be disaggregated by racial, ethnic, income, and disability groupings (Rothstein, Jacobsen, & Wilder, 2009).

Under NCLB, these disaggregated groups of students are called “subgroups.” Each of these subgroups must be reported on each year. Each state must define what are called “Annual Measurable Objectives,” which benchmark minimal levels of improvement that schools and districts must meet for each of the subgroups. Schools then must show they are making “Annual Yearly Progress” (AYP) for each subgroup of students. When schools or districts fail to meet AYP objectives for two consecutive years, the schools and districts can be labeled as failing and are threatened with sanctions (Wiley, Mathis, & Garcia, 2005). Because this legislation had such a profound impact on education as a whole, it would also require an alignment with special education law.

New York State and Standards-Based Reform

New York State has a unique history and relationship to testing and to the standards-based reform movement. In 1878 New York State began to administer curriculum based Regents examinations. Students who took early Regents exams were

considered to be on a college preparatory track (Bishop, 1998). However, early Regents examinations were not considered high-stakes and for many years there were a variety of pathways to receive a high school diploma without having to take a Regents examination (Bishop, Moriarty, & Mane, 2000).

In 1994, the New York City board of Regents required students to pass Regents examinations in order to receive a regular education diploma. According to Bishop, Moriarty, and Mane (2000), “with this step, New York City was abolishing the bottom track” (p. 334). In 1996, two years after New York City adopted this requirement, the entire state moved towards requiring all students to take Regents level courses and pass Regents exams in order to receive a diploma (Bishop, Moriarty, and Mane, 2000). New York State maintained these rules until 2001 when NCLB was put into effect. At this point New York State aligned with national legislative requirements. New York continues however, to maintain some of the most stringent diploma requirements of any state, an issue that will be returned to in Chapter 5 of this dissertation. New York State’s requirements also uniquely interact with federal special education legislation.

Individuals with Disabilities Education Improvement Act

Special Education in the United States is generally defined by the Individuals with Disabilities Education Improvement Act (IDIEA, 2004). Prior to 1975, there was no systematic method of educating children with disabilities in the U.S., and many children were excluded from schools entirely. Those who did gain access to schools often did not have appropriate or meaningful educational opportunities (Katsiyannis, Yell & Bradley, 2001). The law, first entitled the Education for All Handicapped Children Act (EAHCA,

1975) was put into place after two class action lawsuits were spearheaded by parents. The lawsuits, *Pennsylvania Association for Retarded Citizens vs. Pennsylvania* (1972) and *Mills vs. Board of Education* (1972) were victorious on the side of the parent groups and the results propelled a legal mandate for schools to educate students with disabilities (Yell, Rogers & Rogers, 1998).

In 1990, the EACHA (1975) was renamed the Individuals with Education Act (IDEA). The act was essentially a funding law, which mandated local education authorities to provide Free Appropriate Public Education (FAPE) to all students who qualified. An Individualized Education Program (IEP) would be created for each child who qualified under the IDEA. An IEP would set goals for each student, and outline any accommodations or modifications necessary (Weber, Madsley & Redfield, 2004).

In the 2004 reauthorization of IDEA, the act went through several important changes pertinent to this study. First, because NCLB had specific mandates for students with disabilities, Congress deemed it necessary to align IDEA and NCLB. When writing NCLB, Congress also found it necessary to include students with disabilities in accountability measures. By holding schools accountable through testing, members of Congress believed that students with disabilities would gain increased access to the general education curriculum (Yell, Katsiyannis, & Shiner, 2006).

Once aligned with NCLB, authors of IDEA (2004) claimed that, “all children with disabilities are included in all general State and district wide assessment programs... with appropriate accommodations, where necessary and as indicated in their respective individuals education plans” (Section 1412 (c) (16) (A)). Therefore, a student with an

IEP is entitled to the use of approved accommodations for tests. The state examinations however, cannot be modified (Wright & Wright, 2005).

When writing NCLB, Congress assumed that not all students with disabilities would be able to adequately participate in statewide assessments. They therefore made an allowance for certain students with disabilities to take modified or alternate assessments. Fearing that alternative assessments would be used as a way to circumvent the testing of students with disabilities, the Department of Education set a cap on the number of students who could take alternative assessments at one percent of the population in all grade levels (Shindel, 2004). In addition to the one percent cap, Congress allowed for up to two percent of the population to be held to “modified” standards, which would reduce the depth or breadth of grade level content (McLaughlin, Miceli, & Hoffman, 2009). States and districts would now have to report results to the public about student performance on assessments, alternate assessments, including how students with disabilities performed on assessments (Wright & Wright, 2005).

The Blue Print for Reform

Obama administration is currently reviewing NCLB policies and pending reforms are laid out in a document sponsored by the U.S. Department of Education (2010) entitled, *A Blueprint for Reform: The Reauthorization of the Elementary and Secondary Education Act*. The major components of this manuscript include proposals to create a national set of Common Core standards, to align state tests with the national set of standards, and to implement teacher and leader evaluation systems. The proposal also explains that schools underperforming on state tests should undergo dramatic change.

Finally, the report states that an expansion of “school choice” is necessary and pathways should be created to expand charter schools and promote innovation.

Specific aspects of the blueprint also expand on NCLB’s requirements for students with disabilities. Under section (1), there is a subsection entitled “meeting the needs of English Learners and other Diverse learners” (p.19). Under the heading of diverse learning, students with disabilities are specifically addressed. Of these students the blueprint states that the reauthorization will increase support for “inclusion and improved outcomes of students with disabilities” (p. 20) and will help ensure that:

Teachers are better prepared to meet the needs of diverse learners, that assessments more accurately and appropriately measure the performance of students with disabilities, and that more school districts implement high quality state and locally determined curricula and instructional supports that incorporate the principles of universal design for learning to meet all students’ needs. (p. 20)

This statement defines the broad priorities for how students with disabilities will be considered in pending standards-based reform efforts. However, ways that other reform priorities (assessments, privatization, and standardization) interact with these ideas for students with disabilities are not fully stipulated in the Blueprint. Also, to date, the Obama administration has not been able to reauthorize the ESEA or make changes to NCLB. In order to work around the Republican controlled Congress that is making it difficult to enact new education legislation, the Obama administration has used other routes to implement its policies. One key way it has successfully motivated states to adopt its desired policies is through the Race to the Top grant program.

Race to the Top

In 2009, the Obama administration signed into law the American Recovery and Reinvestment Act. From money made available in this Act, 4.35 billion dollars are allocated for the Race to the Top initiatives. In order to receive money, states enter a rigorous competition. At the time of this study, the competition is entering its third round and states that adopt reform strategies prioritized by the Obama administration will have the opportunity to receive grant money.

The competition rates state proposals on a point scale. The key selection criteria includes; (a) state selection criteria, including the states capacity to implement proposed plans; (b) standards and assessments, including implementation of the common core standards and aligned assessments; (c) data systems to support instruction; (d) highly qualified teachers and leaders, including implementation of teacher and leader evaluation systems; (e) turning around lowest achieving schools; and (f) general selection criteria, including assuring conditions for the expansion of charter schools. States who win the competition grants will receive large amounts of money, much of which is earmarked for the implementation of standard-based reforms.

Problem Statement

I became interested in this research after spending time working in urban schools and talking with teachers, parents, and students with disabilities. I began to see how standards-based reform policies were shaping decisions that school districts and educators were making in regards to students with disabilities. I particularly became concerned with apparent contradictions between individualized education plan goals, and

school wide standards-based policies. Scholars, too, were noting inherent contradictions between standards-based reform and special education (Cushing, Clark, Carter & Kennedy, 2005; Rebell & Wolff, 2008). Thus, I realized this was a topic that needed closer investigation.

I also began to wonder whether schools that have high numbers of students with disabilities, English Language Learners (ELL), Black and Latino students, and student who receive free and reduced lunch were more likely to be intensely affected by standards-based reform policies. I thus chose to focus my research on an urban elementary school that was labeled "failing" under NCLB legislation. In order to gain an in-depth perspective about how special education is specifically impacted in a "failing" school, I sought out qualitative research methods in designing the study. I decided my primary data would come from interviews with teachers, administrators, and policy makers as well as observations of public forums. I then decided that using public documents such as policy documents, media articles, and public reports would be useful to contextualize interview and observational data. Several research questions guided this study.

1. How do current and evolving standards-based policies affect special education practices in urban schools and urban districts?
2. How does becoming labeled as a "failing" school affect special education?
3. How does standards-based reform have an impact on special education?
4. What federal and local tactics are used to implement standards-based policies?
5. How does one's job title affect one's narrative and understanding of standards-based reforms impact on special education?

These research questions guided me throughout this study and I returned to these queries as I made methodological and analytical decisions. In order to gain a better understanding of these questions, my first task was to delve into prior research and theory related to standards-based reform and special education.

Chapter 2

Literature Review

The amount of research on the general topic of standards-based reform is immense and constantly growing. This large pool of research exemplifies the importance and relevance of this topic. The effect of standards-based reform on students with disabilities has also been adequately researched. However, little research has critically investigated these systems through a disabilities studies framework, or by using qualitative inquiry. In this literature review, I first outline the basic trends of research on standards-based reforms. Next, I look to specific literature outlining the way students with disabilities are affected by standards-based reform. Finally, I outline the theoretical foundations that inform this study.

Studies and Literature

I have grouped the relevant research on standards-based reform into several broad subsections. I begin with research that illustrates the basic critics and proponents of standards-based reform in general. Next, I review literature that discusses failing schools. I then go more in depth into literature that examines the affects of standards-based reform on students with disabilities.

Proponents of standards-based reform. There have been many proponents of standards-based reform efforts, including President Obama and Secretary of Education, Arne Duncan. Jones, Jones and Hargrove (2003) indicated that proponents of testing often cite three major reasons why such reform is needed “1) to measure student achievement; 2) to provide information about the quality of schools; and 3) to hold

student's educators accountable" (p. 10). The authors noted that by providing the public with more information through test scores, taxpayers and politicians can point to concrete evidence that funds are being used to reward successful schools and punish schools that are unsuccessful. Thus, these types of reforms efforts have been attractive to many politicians.

There is also some evidence that would support increased achievement because of the No Child Left Behind Act (NCLB) and standards-based reform. In 2004, President Bush claimed that students were making progress on national test scores and that the achievement gap was beginning to close. When analysts looked to find evidence of these claims, they could only find one: a stated gain for fourth graders deemed proficient in math, as determined by the National Assessment of Educational Progress (NAEP) in 2003 (Fuller, Wright, Gesicki, & Kang, 2007). Also, Stullich, Eisner, McCrary and Roney (2006) researched general trends for students after 2002. One of the major findings of their report stated that:

For both state assessment and NAAEP results, recent achievement trends through 2004 or 2005 are positive overall and for key subgroups. At this early stage of NCLB implementation states, districts, and schools only began to implement the NCLB provisions in 2002-03— it is too early to say whether these trends are attributable to NCLB, to other improvement initiatives that preceded it, or a combination of both. (pp. v-vi)

Dee and Jacob (2009) corroborated these findings, noting gains in specific subjects; particularly in math.

In my review of the literature, I found a general dearth of studies that document the benefits of NCLB and standards-based reform. This is particularly interesting given the media coverage and political arguments that favor standards-based reform efforts.

Amrien and Berliner (2002b) claimed that:

The validity of these statements in support of high-stakes tests have been examined through both quantitative and qualitative research... and reasonable conclusion from the extensive corpus of work is that these statements are true only some of the time... The research suggests, therefore, that all of these statements are likely to be false a good deal of the time. And in fact, some research studies show exactly the opposite of the effects anticipated by supporters of high-stakes testing. ("Arguments in Support of High-Stakes Tests," para. 4)

Thus, despite widespread claims, empirical evidence supporting standards-based reform has not been adequately established.

Failures of standards-based reform. Although a few studies have noted some success in regard to NCLB and standards-based reform, most research has pointed to the lack of increase in test scores for students in general. In their analysis of NAEP scores, for instance, Fuller, Wright, Gesicki and Kang (2007) found that the gains that were being documented in test scores since the 1990s have actually decreased since the implementation of NCLB. Lee (2006) found that NCLB had no significant positive impact on NAEP scores or the achievement gap.

Many authors have noted the "unintended consequences" of NCLB. In a controversial report, Amrein and Berliner (2002) examined the high stakes testing programs of 18 states. Of these states, the authors provided information about subgroups

in each state and compared dropout, graduation rates, and General Education Development (GED) test participation before and after the implementation of NCLB. The authors claimed high school exit exams have had a negative impact on 66% of the states.

Often consequences of NCLB for students and teachers include increased grade retention (Hauser, Frederick & Andrew, 2007; Jimerson, et.al, 2006), increased dropout rates (Haney, 2001; Lillard & DiCicca, 2001), narrowed curriculum (Barrett, 2009; Cochran-Smith & Lytle, 2008; Crocco & Costigan, 2007), increased teaching to the test (Amrein & Berliner, 2002; Cochran-Smith & Lytle, 2008; Menken, 2006; Wood, 2004), and increased instances of cheating by educators (Amrein-Beardlsey, Berliner & Rideau, 2010). This laundry list of negative consequences has been the source of much debate (Amrein-Beardlsey, 2009), nonetheless these negative repercussions appear to be exacerbated for many students that the law was, at least in theory, intended to help (Darling-Hammond, 2007).

“Failing” schools. Under NCLB, states were required to aggressively alter the course of failing schools. Failure to achieve proficiency for all subgroups of students resulted in schools being required to go through a process of corrective action, which, in the worst case can eventually lead to school closure (NYSED, 2010a). Because of the large number of schools that are being labeled as failing under NCLB, the Obama administration has allowed some states to obtain waivers. As of July, 2012, 26 states have been granted flexibility through waivers (U.S. Department of Education, 2012). Rather than allowing too many schools to be labeled as failing, the Obama administration is pushing that only the bottom five percent of schools receive such designation. The school

that I am investigating in this dissertation would have been considered in the bottom five percent and would not have escaped sanctions, even if NCLB had not presided during the time I collected data.

Critics of restructuring failing schools noted that schools are unable to improve because the focus is on sanctions and consequences, rather than support for improvement (Rebell & Wolff, 2008; Smith, 2005). A superintendent, quoted in Abernathy's (2007) qualitative study said, "If research drives this law, then those who promulgated it know that punishment is the least likely way to get improvement. Yet the only form of motivation for teachers and schools is the threat of loss of revenue, prestige, and the school itself" (p. 142). Tomlinson (1997) looked closely at one of the first schools in England to be labeled as failing. She argued that market reforms have perpetuated the social construction of "good" and "bad" schools, furthermore she explained that it has "become easier to blame schools than to re-structure the economy" (p. 95).

Thus, it is clear that the threat of being labeled as failing is a serious problem for schools, and is unlikely to be effective. Chiang (2009) found that in Florida, successes that could be attributable to short term growth because of school restructuring are not necessarily applicable in the long term, and that there is evidence of "gaming" of the system even when growth has been documented. Furthermore, Brady (2003) explained that although a variety of turnaround models exist, there is no model that is entirely effective. He found that there were positive results from school turnaround efforts in fewer than half the schools that have undergone intervention and no turnaround strategies could be counted as effective in all contexts.

Another key issue in the body of literature on school failure has documented the demographics of students who attend “failing” schools. Downey, Hippel, and Hughes (2008) explained that disadvantaged students may not score well on tests, but this does not mean they are not making gains in learning. Kim and Sunderman (2005) looked at how six states responded to NCLB mandates requiring them to label and transform failing schools. The authors determined that student demographics largely factor into schools becoming labeled as failing. The authors explained that this occurred for two reasons: (a) because the mean proficiency formula that was relied upon was biased against high poverty schools that began with low mean test scores; and (b) diverse schools were at greater risk of failing AYP because each subgroup of students had to meet separate test score targets.

In regards to transforming “failing” schools, Sunderman (2006) suggested that there is no evidence to support a claim that requiring schools to undergo dramatic changes is effectual; instead these reforms unfairly punish schools that educate large numbers of low-income, minority, Limited English Proficiency (LEP), and special education students. Diamond and Spillane (2004) contended that when comparing high-performing schools to “failing” schools, it is evident that low performing schools tend to focus resources and attention on certain students who are on the cusp of passing tests. In contrast high-performing schools tend to focus on enhancing achievement for all students across all subject areas. Thus, it is reasonable to question whether the ramifications associated with sanctions given to failing schools disproportionately effect students who attend schools with high numbers of racial and ethnic minority, poor, ELL, and special education students.

Also related to efforts to fix “failing” schools, NCLB has been widely criticized for being an unfunded mandate. Reports have noted that added costs states, schools, and districts incur to employ NCLB requirements far exceed additional federal funding earmarked for the implementation of the law (Imazeki & Reschovsky, 2004). Jennings (2006) found that 80% of the 300 hundred schools in his study reported that they absorb costs to carry out NCLB requirements. Furthermore, when sanctions are brought upon schools, schools often do not have the money to carry out the requirements associated with those sanctions. Another problem with funding and NCLB is that the law is based on a logic that “uneven funding” between school districts does not matter in terms of achievement targets. Moreover, the law does nothing to make funds between school districts more equitable (Rebbell & Wolff, 2008).

The extensive academic research on standards-based reform efforts suggests mostly negative consequences for schools. Although there has been a mounting critique of standards-based reform, very little of the available research has looked contextually at the systems of standards-based reform, or understood how the label of becoming a failing school affects students with disabilities in particular.

Dissenting voices. There are several key researchers and constituents who have become important participants in the popular conversation on reform. These scholars have helped to define the dissent of standards-based reform.

One important dissenter, Ravitch (2010), previously supported and helped implement NCLB. However, her position however has evolved and she is now a very loud critic of standards-based reform. Ravitch’s (2010) book entitled; *The Death and Life of the Great American School System: How Testing and Choice are Undermining*

Education (2010), interrogated and critiqued many of the reform options that she helped put into place. Beyond her book, she has written numerous newspaper and magazine articles, has done speaking tours, and has appeared in an abundance of television and radio interviews.

Another key dissenter, Darling-Hammond, is a prominent researcher in the field of education, and someone who has served as an educational advisor to President Obama during his candidacy. Darling-Hammond's (2010) book, *The Flat World and Education: How America's Commitment to Equity Will Determine our Future* (2010) discussed increased standards-based reform and the accountability movement from a global perspective. In the book, Darling-Hammond presented readers with lessons about reform from some of the most educationally successful countries around the world, and she argued that our current reform trajectories only threaten to exacerbate existent inequities.

Another long time critic of these trends is Kohn (1999). Prior to the implementation of NCLB, Kohn (1999) discussed the problems he was seeing in these types of trends in his book, *The Schools Our Children Deserve: Moving Beyond Traditional Classrooms and "Tougher Standards."* In this book, Kohn used real-world examples in order to warn readers that political slogans such as "tougher standards" ignore the realities about how students learn. Kohn (2000) also wrote, *The Case Against Standardized Testing: Raising the Scores, Ruining the Schools*, where he described how standards-based reform efforts are ruining the opportunity for our country to equitably provide education for all students. Kohn continues to publish and speak about the harm that standards-based reform movements cause.

Another recent publication edited by Mathis and Welnar (2010) and sponsored by the National Education Policy Center (NEPC) denounced the methods and research used to support reform measures. The researchers examined the “evidence” that came out of the Blueprint for Reform, finding little academic or scholarly support for any of the reforms. The number of books and journal articles that argue against standards-based reform are immense, and they continue to be published in mass.

Students with disabilities and standards-based reform. A vast amount of research has attempted to investigate the effects of standards-based reform initiatives for students with disabilities. The results for this subgroup of students have been largely mixed.

Benefits for students with disabilities. Several positive outcomes of NCLB for students with disabilities have been noted in the literature. Because students with disabilities are a subgroup under NCLB, research has pointed to the fact that students with disabilities are being focused on as they never have been before (McLaughlin, Micele & Hoffman, 2009). Also, students with disabilities are increasing their participation in tests (Johnson, Thurlow, Cosio, & Bremer, 2005), which is important because prior to NCLB, students with disabilities were erratically and inconsistently accounted for in assessments.

In terms of performance, Zhang, Katsiyannis and Kortering (2007) reported that students with disabilities in North Carolina showed growth in some tests because of NCLB. McLaughlin, Micele and Hoffman (2009) pointed to some evidence of increased performance for students with disabilities; however, the authors also noted that it was

difficult to draw conclusions on the overall performance because of variation among state assessment instruments and policies on accommodations.

Higher expectations for students with disabilities have also been touted as a positive effect of NCLB. Hardman and Dawson (2008) for instance, claimed that:

Almost 30 years of research and experience has demonstrated that the education of children with disabilities can be made more effective by having high expectations for such children and ensuring their access to the general education curriculum in the *regular classroom*, to the maximum extent possible. (p.7)

These sentiments have been corroborated in several studies, which found that educators in fact do have increased expectations of students with disabilities because of NCLB, which positively effects their performance (Flowers, Ahlgrim-Dezell, Browder, & Spooner, 2005; Nelson, 2002; Thompson & Thurlow, 2001).

During the negotiation over NCLB, special educators and advocates fought for students with disabilities to be included in all aspects of standards-based reform, so that they could gain more access to general education curriculum and content and benefit from higher expectations (McLaughlin et al., 2009). Various researchers have noted that these goals have been successful in practice, and students with disabilities are in fact gaining more access to general education content as a result of standards-based reform initiatives (Defur, 2002; Thompson & Thurlow, 2003; Ysseldyke et. al, 2004).

Perceptions of teachers and administrators about the successes of including students with disabilities has also factored into this area of research. A longitudinal study by Lazarus, Thompson and Thurlow (2006) focusing on four states found that many teachers and administrators perceived that students with disabilities were benefiting from

standards-based reform because they were being included. Teachers also noted that students with disabilities were gaining greater access to regular education content. Additionally, teachers expressed surprise at how well these students were excelling in their classes (Lazarus, et. al, 2006). A survey of 282 superintendents, principals, and directors of special education in Indiana revealed that expectations for students with disabilities were raised as a result of standards-based reform. However, these administrators offered mixed feelings on whether or not NCLB is having a positive impact on the inclusion of students with disabilities (Cole, 2006).

Overall, research has indicated that including students with disabilities in standardized tests often increases inclusion and performance of this subgroup of students, as teachers and schools are finally being held accountable for student learning. The research, however, for this group of students is not completely positive.

Negative consequences for students with disabilities. Researchers have uncovered less promising results and unintended consequences of NCLB for students with disabilities. Some of these consequences are similar to the consequences found for general education students, but the effects are sometimes more profound for students with disabilities. For instance, Christensen, Decker, Trizenber, Ysseldyke, and Reschley (2007) highlighted the narrowing of curriculum that occurs when there is increased reliance on specific standards. The consequences of this practice are often exacerbated for students with disabilities as they are further driven to focus on the remediation of skills. Gentry (2006) revealed the problems associated with using drill and kill instructional approaches while simultaneously expecting students with disabilities to attain grade-level proficiency. She claimed that this is “counterintuitive as children learn

best when they have elements of interest, challenge, choice, and enjoyment in their learning experiences—elements lacking in remedial based approaches” (p. 24). These remedial approaches can result in decreased motivation for students with disabilities, (Kelleghan, Madaus & Raczek, 1996).

Dropping out of school, being put into lower tracks, being segregated from regular education, and increasing the likelihood of going to prison have all been attributed to standards-based reforms for students with disabilities. Sandholtz, Ogawa, and Scribner (2004) found that one school district responded to increased standardization of curriculum by creating three different tracks of teaching standards: minimum, essential, and accelerated. These alternate standards “work against equality of educational opportunity” (p.1197) and are differentially applied to Limited English Proficiency (LEP) students and students with disabilities. Heubert and Hauser (1999) found that standards-based reform had negative effects on students with disabilities, because they were often put into lower academic tracks and Smyth (2008) reported that high stakes testing provide educators with numerical justification to back up decisions to track, sort, and label students.

Cole (2006) indicated that even though it is difficult to pinpoint the impact of NCLB on the dropout rate, after analyzing the national longitudinal database it appeared that students who were subjected to eighth grade promotion examinations were more likely to drop out by tenth grade. After comparing dropout rates from two time periods, Lillard and DeCicca (2001) strongly suggested that minimum course requirements linked to the standards movement caused students to drop out of school at higher rates. Specifically, they noted that over a 15 year period there was over a 4% increase in the

dropout rate. Thurlow, Sinclair, and Johnson (2002) cautioned that more attention needs to be focused on accurately measuring dropout rates for students with disabilities, as it is likely standards-based reforms were affecting the ability of many students with disabilities to receive standard diplomas. Johnson and Thurlow (2003) surveyed state directors of special education in all 50 states to document the graduation and exit requirements for high school students, after alignment with NCLB requirements. These authors indicated that approximately half of respondents noted that a variety of unintended consequences exist in states where students had to pass an exit exam to graduate including; students were less likely to receive standard diplomas, more likely to drop out, more likely to have lowered self-esteem, and more likely to experience conflicts with parents.

Schools, states, and districts are also finding other ways to offer students alternate diplomas. Gaumer-Erickson, Kleinhammer-Trammil, and Thurlow (2007) reported that in 2003, students with disabilities received a much higher percentage of alternative diplomas, a finding which was directly linked to exit exam requirements. Students with Mental Retardation, Multiple Disabilities, and Autism were the most affected by this phenomenon. Specifically, between five through ten percent of all students in all disability categories received non-traditional diplomas in states with no exit exam requirement. In states that had exit exam requirements, approximately 43% of students with Mental Retardation, 35% of students labeled as Multiply Disabled, and 36% of students with Autism received alternate diplomas (Gaumer-Erickson, Kleinhammer-Trammil, and Thurlow, 2007). These data are important as the life opportunities for students with disabilities who receive alternate diplomas are considerably limited, as

most post-secondary educational institutions, the military, and employers require standard high-school diplomas (Wagner & Blackorby, 1996). These findings are particularly relevant in New York State, which offers alternative diplomas.

Students with disabilities and Annual Yearly Progress reporting. Another important body of literature describes how schools have skewed disability related statistics in order to meet Annual Yearly Progress (AYP) requirements because schools believe that having large numbers of students with disabilities will bring down test scores. Nagle, McLaughlin, Nolet, and Malmgren (2007) found that in Texas, some schools exempted large numbers of students with disabilities in order to “protect their rating and evade meaningful accountability for students with disabilities” (p.72).

Another problem is that in a variety of states, subgroup scores are not appropriately reported. Figlio and Gletzer (2002) used student record data in Florida to quantitatively identify the effects of high stakes testing on schools. The authors found that schools used a variety of methods to “game the system” (p. 13), including identifying low-income and previously low performing students for special education at higher rates. They also found that high poverty schools were more likely to reclassify students than were affluent schools. The authors concluded that the caps mandated by NCLB were not enough to stop schools from manipulating the numbers and these effects have negative ramifications for students.

Other research have found that many schools have been labeled as failing because students with disabilities were not meeting AYP requirements. Eckes and Swando (2009) determined that of all of the subgroups, schools are most likely to be deemed failing because of students with disabilities, and that this causes negative effects for the

achievement of special education students. Furthermore, when schools perceive that students with disabilities are the cause school failure, they are likely to be blamed as scapegoats (Allbritten, Mainzer, & Ziegler, 2004).

Differential effect based on disability label. Some research has shown that even if there is some evidence of benefits for students with disabilities, it is not fair to claim that this is the case for *all* students with disabilities. A study by Agran, Alper, and Wehmeyer, (2002) described how the high expectations so commonly cited in the research are not in fact applicable to students labeled with “severe” or “profound” disabilities. The authors claimed that “despite the federal mandate to ensure access for all students, respondents do not believe it has much relevance for students with severe disabilities, and have done little to advance it” (p. 2002). Also, others have noted that because of the allowance of alternative assessments, students with developmental and cognitive disabilities are not given equal treatment or access to standardized curriculum (Almond, Lehr, Thurlow, & Quenemoen, 2002; Wakeman, Browder, Meier, & McColl, 2007).

Synopsis of the literature. Research on standards-based reform in general, and for students with and without disabilities in particular, has presented conflicting findings. It is clear however, that overall the data demonstrate that trends for students as a result of standards-based reform are not overly positive. The available research has used qualitative and quantitative research methods to uncover successes, failures, and consequences of standards-based reform for all students and for students with disabilities. Some sources have investigated the ways in which teachers and other educators perceive

standards-based reform. However, there remains to be many gaps in the literature that this study aims to fill. In this study, I:

- Consider how students with disabilities who attend a "failing" school are affected by standards-based reform;
- Consider how people who hold a range of jobs similarly and differently describe standards-based reform;
- Use the perspectives of people involved in the educational system;
- Understand the context of participants' narratives;
- Challenge traditional and entrenched notions of disability and special education.

These foundational elements of my study differentiate it from existing studies that examine standards-based reform for students with disabilities. As such, my study adds significant knowledge to this topic.

Theoretical Perspectives

In this section, I offer a synopsis of the theoretical perspectives upon which my study is grounded. Generally, I view and understand the phenomenon of disability and the system of special education through a disability studies in education perspective. I explain major tenants of these ideas and how these ideas can help inform specific aspects of standards-based reform. I also describe the theories of Foucault and Bakhtin, as they influence the ways in which I understand my data, my method, and my analysis.

Disability studies in education. There are basic tenets of disability studies in education (DSE), which help to clarify particular aspects of comprehensive standards-

based reform systems, such as NCLB. DSE is broadly defined as a field of inquiry that focuses on issues surrounding people with disabilities as they relate to social exclusion and oppression. These lines of inquiry typically focus on educational and special education systems, but are not limited to these spheres. Scholars in DSE also consider economic, political, and historical issues around disability, as viewed through a social lens (Danforth & Gabel, 2006).

Although there are differences among scholars within DSE, one central tenant of DSE is “the idea that disability is a social phenomenon” (Taylor, 2006, p. xiii). Traditionally, disability has been viewed in special education through a medical lens, which widely holds that “ability is innate, biologically predicated, and normally distributed” (Gallagher, 2006, p. 63). The medical model thus seeks to define the disabled person as inherently deficient, and in need of being fixed, often through the use of therapies, interventions, or medicines. Oliver (1990) described how disability studies scholars have framed their understanding of disability around the fact that the exclusion of people with disabilities typically occurs because the problem of disability is seen as residing within the person, instead of as a result of ill-suited environment. Considering disability within a socio-cultural framework, disability is seen as contextually defined and the meanings of disabilities shift from medical view towards social, contextual, cultural, historical, and political vantages.

DSE then seeks to mitigate oppression and discrimination for people with disabilities (Bejoian & Reid, 2005). Critically investigating reform efforts that position students with disabilities and their teachers in disempowering ways, is certainly of

interest to DSE scholars. Skrtic (2005) stated that education systems are bureaucracies and that:

performance organizations, standardized, nonadaptable structures that must screen out diversity by forcing students with unconventional needs out of the system. And because they are public bureaucracies charged with serving all students, special education emerges as a legitimating device, an institutional practice that, in effects, shifts the blame for school failure to students through medicalizing and objectifying discourses, while reducing the uncertainty of student diversity by containing it through exclusionary practices. (pp.149-150)

With this in mind, it is clear that DSE offers a way to see disability differently than traditional special education does and it allows us to understand the ways special education as a structure operates.

Understanding standards. DSE offers several important theoretical perspectives to consider when thinking about standards-based reform efforts. The assumptions, that undergird a system reliant on standards, can be critiqued through a DSE lens. DSE and critical education scholars have critiqued the way that standards are historically based on psychological and social scientific development theories (Oldman, 1994). These theories, highly influenced by developmental psychologist Jean Piaget (1952), are essential to traditional understandings of how children learn and develop. According to Piaget's theory, children travel through a series of developmental stages as they mature and grow. With likeness to height and weight charts, children can be located in reference to a prescribed set of "normal" conditions, and there is limited flexibility in the range of stages for individual child development (Davis, 2006). Children who fall out of range

(even temporarily) of anticipated growth progressions are seen as abnormal and problematic (Van Ausdale & Faegin, 2001).

The Common Core standards are closely tied to linear developmental models. Standards create a template for what students should learn and know at each grade level. Based on the high stakes riding on student performance in relation to standards, curricula and teaching strategies become focused around standards. Specific evidence-based methods of teaching standards often develop into the only authorized way of teaching children.

Kliewer and Biklen (2001) discussed the problem with relying on developmental models to understand literacy acquisition for students with disabilities. They noted that literacy development is characterized as a normative ladder that must be climbed, step-by-step. If each sub-skill is not mastered, the student is seen as unable to ascend to the next step of the ladder. However, through their research, the authors have argued that students are capable of demonstrating unexpected symbolic literacy capabilities, particularly when they are exposed to content in meaningful ways.

As students fail to meet normalized benchmarks, they are often forced into spending increased time remediating the skills that they are lacking with an end goal of passing state tests. Disability studies has commonly critiqued the idea that students with disabilities should spend their educational time remediating what they lack (Gabel, 2009), instead of learning diverse, rich content. Unfortunately standards-based reforms pressure educators to use teaching practices that aim to “fix” student problems in content areas focused on during tests. Often, remediation occurs in ability grouped, tracked, and segregated settings.

What happens to many students with disabilities is that if they are unable to meet the criteria defined by college- and career- ready standards they are inevitably sorted into lower tracks. In New York State, this is often coupled with receiving a less valuable diploma. Tracking practices have been promoted through standards-based reform ideology. According to Brantlinger (2004), “in our present educational and economic ranking systems, some have to be subnormal for the seemingly desirably hierarchies to survive” (p. 491). Because students with disabilities are often behind on grade-level standardized curriculum, and because they may not excel on examinations, they become tracked into segregated and lower level ability groups. Many students with disabilities need the support of non-traditional teaching styles and fare better when they are given differentiated and universally designed instruction and assessments. The "drill and kill" teaching methods that often accompany NCLB practices have been particularly detrimental to the learning of students with disabilities. Thus, when students with disabilities are unsuccessful in accomplishing the goals set forth by the standards-based reforms, they are written off as incapable of being successful. Therefore, by drawing on the work of DSE scholars, this dissertation uncovers the ill-suited nature of standards-based reform for students with disabilities.

Definition of disability. NCLB concretizes a medical definition of disability in relation to the “norm.” Through NCLB, test scores are calculated to track the performance of both individual students and of schools in general. The standardized test scores of students with disabilities are disaggregated and publicized (Bejoian & Reid, 2005). Subgroups of students are thus defined in opposition to the "norm" (non-disabled, English speaking, economically advantaged). Defining disability through NCLB based on

these subgroups reifies binary definitions based on what is and is not a disability. As noted by Bejoian & Reid (2005) binaries are misleading and dangerous. All students have many important characteristics and identities, which are not recognized under IDEIA or NCLB. Moreover, subgroups are reported distinctly and do not take into account students intersectional identities (Gerschick, 2000).

As Baglieri, Valle, Connor and Gallagher (2010) explain, when the Education for All Handicapped Children Act (EAHCA) was created in 1975, it did not adequately account for social model understanding of disability. Thus, the more familiar medical model was used to inform the understanding of disability for school legislation and for the planning of what is now the IDEA. Skrtic (2005) indicates that, “while not denying that pathology-based moral arguments for educational equity were instrumental in securing the important rights of the IDEA, this approach has limits as a guide to policy and advocacy” (p.150). Because of this, schools are built around the idea that disability and diversity is a problem, not an asset. Ideas about social construction of disability did not make it into NCLB legislation, despite the fact that DSE scholarship was well established by this time.

Students who do not fall into any disability or racialized subgroups are reified as the "norm" and constitute the “neutral” or “natural” comparison group. Statistics thus are an important tool for identifying students who are and are not considered members of the standard group, who are then viewed as inferior to the group in the “norm.” As Artiles (2011) described, NCLB both “erases difference (i.e., same outcomes for all subgroups of students), while it also reinscribes difference (i.e., a surveillance system organized by subgroups of students)” (p. 436).

When one school is populated with large groups of students who fall on the “wrong” side of the subgroup binary, the school is set up for intensified repercussions. Darling-Hammond (2007) explained the “catch-22” that schools, which have large number of students with disabilities, who are poor, and who are ELL, face. Schools that have more diverse demographics have many more AYP requirements to meet. Schools who serve large numbers of Limited English Proficiency (LEP) students are disadvantaged because the very definition of LEP relies on students not being able to meet grade-level standards. Once students meet the standard they are removed from being counted as part of the subgroup. Thus, it is impossible that schools which are host to large numbers of LEP students (such as the school focused on in this study) will ever meet bench-marks the law has set forth. Darling-Hammond (2007) described this as a “diversity penalty... [which] sets up the prospect that the schools serving the neediest students will be the first to lose funds under the law” (p.247). Therefore, individual students and diverse schools are negatively affected by standards-based reform policies.

Inclusive education. Another important body of literature that has been a major focus of DSE scholars has focused on the inclusion of students with disabilities in regular education classrooms. This literature is relevant to this dissertation, as I have sought to understand the impact of standards-based reform on the inclusion of students with disabilities. Phil Smith (2010b) illustrated that overall trends towards inclusive education in the United States are not very promising. He revealed that in the year 2000, less than half of students with disabilities spent more than 80% of their day in regular education classrooms. The numbers are far worse for students with intellectual disabilities; only 11.66% of these students were included 80% or more as of the 2003-2004 school year.

Because there has been such little growth towards inclusion overall, it is difficult to quantitatively decipher whether standards-based reforms have or have not positively impacted the inclusion of students with disabilities. Smith (2010a), however, warned that standards-based reform policies have not necessarily improved the inclusion of students with disabilities to the degree that policy makers purport—instead Smith stated that there are “important unintended consequences of NCLB legislation on students with disabilities, including in the area of inclusion” (p.78).

It is also important in this dissertation to explain the research, spearheaded by DSE scholars, which has attempted to document the benefits of inclusion for students with disabilities, both socially and academically. It has been found that when schools implement inclusive models, students with disabilities are more academically successful (Baker, Wang, & Walberg, 1995; Fisher, Roach, & Frey, 2002; Giangreco, Cloninger & Iverson, 1993). Implementing push-in related services has also been found to benefit students with disabilities (Giangreco, 2000; Lawrence-Brown, 2004). Others have noted the social benefits and improved peer relationships that come along with including students with disabilities in regular education environments (Hunt, Farron-Davis, Becksted, Curtis & Goetz, 1994; Kennedy, Shikla & Fryxell, 1997). Cole, Waldron, and Majd (2004) also reported that regular education students benefit academically when they learn in inclusive environments. Thus, individual students may fair better on high-stakes tests if they are included in regular education environments.

Other scholars have reported that whole-school inclusive reform can be beneficial to the overall achievement of schools (Causton-Theoharis, Theoharis, Bull, Cosier, and Dempf-Aldrich 2010), which in turn could positively impact a schools performance on

accountability measures. Theoharis (2010) revealed that in order for inclusive reform to be successfully implemented, effective leadership must be in place and they must be committed to social justice and the philosophy of inclusive education. Hehir and Katzman (2012) looked in-depth at three inclusive schools and offered lessons for how to effectively implement effective school wide inclusive programming. The authors explained that although policies such as standards-based reform can be a threat to inclusive practices, committed leaders can still successfully implement inclusive education.

Overrepresentation and intersectionality. Another key contribution of disability studies scholars has highlighted the overrepresentation of ELL, Black, Latino, male, and poor students in special education. This issue has been well documented since the 1960s (American Youth Policy Forum and Center on Education Policy, 2002). Ferri and Connor (2006) explained the linkages between the desegregation movement resulting from Brown vs. Board of Education and the influx of Black students placed in special education classes. Thus, it is evident that there are historical patterns of how race, class, and disability are inextricably linked together in policy and practice.

Today, overrepresentation continues to be a problem that schools face and little progress has been made in recent years. Black students continue to be 2.9 times more likely to receive a label of intellectual disability than are White students. Similarly, poor students are more likely to be labeled with a disability (Office of Special Education and Rehabilitation Services, 2003). One indicator that this remains a persistent problem is that the Office of Special Education and Rehabilitative Services (OSERS) requires school

districts to report on the overrepresentation and underrepresentation of racial and ethnic groups in special education as part of the accountability requirements.

Specific disability categories are overrepresented within certain groups of students. For instance, Black students, particularly males, are more likely to be labeled as having Emotional or Behavioral Disturbance (Donovan & Cross, 2002) than are white students. Artiles, Rueda, Salazar, and Higareda (2005) found that English Language Learners at Level 1 and Level 2 English speaking proficiencies were more likely to be labeled as Mentally Retarded (MR) and more likely to be segregated than their English proficient peers. Another negative consequence of overrepresentation is that these students tend to receive a more segregated education than their peers. According to Fierro and Conroy (2002), “nationwide, the percentage of black students who receive their special education supports and services in restrictive educational settings is substantially higher than percentage of similarly situated white students” (p. 41).

A variety of reasons have been used to explain the phenomenon of overrepresentation. Donovan and Cross (2002) questioned whether overrepresentation occurs because of biological and social differences inherent between groups, or whether the school experience itself causes the problem. Although the answer itself may not be straightforward, disability studies scholars have offered a variety of theoretical ways of understanding the problem. Smith (2010a) explained that racist, classist, and ableist ideologies conflate, often resulting in the assumption that these students are in fact less able. Difference in school is often pathologized (Reid and Knight, 2006), sparking teachers to assume deficiencies in minority students. Furthermore, as Skrtic (2003) argued, overrepresentation occurs because “special education is an organizational artifact,

a political mechanism that emerged in early 20th century America to protect the legitimacy of a nonadaptable bureaucratic structure faced with the increase in student diversity” (p.42). From this vantage point, special education itself exists to screen out diversity.

These issues are important for this study, as I am researching a school that has high numbers of students labeled with disabilities, who are learning English, who are poor, and/ or are Latino and Black. Even though overrepresentation has been an issue since the 1960's, standards-based reforms threaten to exacerbate these problems. The reforms perpetuate the idea “that students of color, the poor, and immigrants lie outside the predominant norm and, therefore, belong in special education” (Reid & Knight, 2006, p. 19).

Also at play in this study are the intersectional identities that students who fall into multiple categories of ability, race, language, gender, and class possess. According to Crenshaw (1993), it is "counterproductive to conceive of multiple systems of subordination (e.g. gender, race, class) as separate entities" (p. 137). Instead of thinking of categories of difference as additive, it is important to understand the intersections of identity categories. Keeping in mind students' intersectional identities helps us to understand how "multiple systems intertwine, redefine, and mutually constitute one another. Integrating disability clarifies how this aggregate of systems operates together, yet distinctly, to support an imaginary norm and structure the relations that grant power, privilege, and status to that norm" (Garland-Thomson, 2002, p. 4).

Keeping students' intersectional identities at the forefront of my analysis is important. Because AYP accountability requirements force the reporting of student

identity as separate categories, many students, who attend schools such as the one under review in this study fall into multiple subgroups. Thus, the various components of their identities are reported distinctly and reified in opposition to the norm. Students, however, are living within intersectional identities that are not so easily compartmentalized.

Overall, DSE literature has provided a fruitful framework by which to approach this dissertation. DSE scholarship offers a lens that informs my methodological decision making and analytical framework. Two additional theoretical perspectives were also useful in contextualizing findings of the study.

Foucauldian theory. The work of Foucault is very important to my understanding of power, discourse, and the phenomenon of standards-based reform. Because discourse is central to my methodological approach and theoretical framework, I begin by describing the ways in which discourse is understood as a system. For Foucault, discourse is not simply revealed as a language system, but is comprised of an entire “system of representation” (Hall, 1997, p. 44). Foucault critiqued the idea that we can apply a specific set of rules to the analysis of language in order to uncover meaning. Instead, Foucault thought of discourse as a group of statements that belong to a connected discursive function (for instance, a field of inquiry or an idea like sexuality or madness). For Foucault, discourse is simultaneously language and practice. Therefore, nothing can exist outside of the system of discourse.

Foucault (1990) defined discourse as a place where power and knowledge converge. He stated that:

we must conceive discourse as a series of discontinuous segments whose tactical function is neither uniform nor stable..... with the variants and different effects-

according to who is speaking, his position of power, the institutional context with which he happens to be situated- that it implies... We must make allowance for the complex and unstable process whereby discourse can be both an instrument and an effect of power, but also a hindrance, a stumbling-block, a point of resistance and a starting point for an opposing strategy. Discourse transmits and produces power; it reinforces it, but also undermines and exposes it, renders it fragile and makes it possible to thwart it. (pp. 100-101)

Thus, discourse is all encompassing and intricately connected to power.

Foucault strongly rejected the idea that we can pinpoint the origin of any discursive event. He believed it was important to understand the local permeations of power as a component of the overall discursive structures, which both produce power and are produced by power. Foucault (1972) stated that the task of a researcher then becomes no longer “treating discourses as groups of signs... but as practices that systematically form the objects of which they speak” (p.49). Therefore, no person or no-thing can exist outside of discourse. All objects (and subjects) are thus created by discursive practices.

Of significant interest to this study is how the position of the “subject” is understood in Foucauldian theory. According to Foucault, it is discourse and not the subject who produces knowledge; the subject is likewise produced within discursive practices. Discourse itself then, produces a subject, and the subject adheres to specific attributes to which discourse produces. For example, if the subject is the madman, the homosexual, the criminal (or even the student with a disability, or the special education teacher), then each of these subject positions are specific to particular discursive regimes, or moments in history (for example, the neoliberal moment). Not all individuals are

necessarily subjects of a particular discourse, however all people must locate themselves in relation to a particular discourse (Hall, 1997).

Foucault's understandings of discourse offers important implications for my work, as all people have a relationship to the subject, which is produced through discourse and all people have varying power positions in relation to these structures. For instance, the subject produced through the biopolitical regime of standards-based reforms, would actually be the special education student. However, others are positioned within the discourse as well, and hold various degrees of power in relation to the production of the discursive regime (the standards-based reform regime). The teacher, for instance, becomes both a subject of the regime and perhaps, a perpetuator of the student-subject. Therefore, Foucauldian theory influenced my decision to interview individuals who hold a variety of occupations and responsibilities within the educational system. I was thus able to trace power permeations and gain a larger vantage of the discursive system that is created by standards-based reform.

Allen (2005) described subjugated knowledges as another important aspect of Foucault's methodology. For Foucault, there are two sites of subjugated knowledge. First, there is the erudite, which raises new forms of knowledge against other universal conceptions of knowledge. Foucault might, for example, consider his knowledge as such. Likewise, disability studies might be considered the subjugated erudite knowledge in the context of special education. The second and more important site for subjugated knowledge come from individuals who have been disqualified and marginalized as bearers of knowledge. Such subjugated knowledge is considered lower down on the totem pole or against a more general "normalized" knowledge. Typically, subjugated

knowledges would be parallel, yet different from formal discourses of a particular field, or of the more “popular” discourse on a particular issue. According to Allen (2005), Foucault might consider “psychiatric patients, the sick, nurses, doctors, and delinquents” (p. 102) as bearers of subjugated knowledge that are not the same as the “formal knowledge of scientific medicine, psychiatry, criminology, and so on” (p. 102). As my project drew on interviews with individuals who are considered bearers of subjugated knowledges, as well as formal knowledges, I was able to draw links and disconnections between formal knowledges to subjugated knowledges, which I address in chapter six.

Biopolitics. Foucauldian theories regarding the emergence of a biopolitical society were also useful to understand the emergence of standards-based reform. Foucault (1997), in a series of lectures, discussed the emergence of a new technology of power, something he called biopolitics. To explain the advent of a biopolitical society, Foucault began by explaining its backdrop— theories of sovereignty. During this age, the right of sovereignty was to take life or to let die. The sovereign cannot grant life the same ways it can take life, thus this form of power always favor’s the side of death. In the 19th century we see a shift to a focus on the right to make live and to let die. Thus, we learn how the “biological came under state control” (Foucault, 1997, p. 240).

Along with the advent of globalization appearing in the late 17th and 18th centuries, Foucault (1997) described the emergence of techniques of power that were centered on the individual body. These disciplinary techniques organized around distributing and making visible bodies. Biopolitics do not exclude disciplinary power, but “dovetail it, integrate it, modify it to some extent, and above all, use it by sort of infiltrating it, embedding itself in existing disciplinary techniques” (Foucault, 1997, p.

242). Instead of focusing on the individual bodies as in disciplinary powers, biopolitical technologies focus not on, man-as-body, but on, man-as-species. Foucault (1997) elucidated that the “birth rate, the mortality rate, longevity, and so on- together with a series of related economic and political problems...[are] biopolitics’ first objects of knowledge and the targets it seeks to control”(p. 243).

Foucault (1990) also documented how state institutions were instrumental in the maintenance of a biopolitical society. Institutions of power reinforced ways to optimize process of life in general, while not making them more difficult to govern. Foucault noted that biopolitics are ensured:

as *techniques* of power present at every level of the social body and utilized by very diverse institutions (the family and the army, schools and the police, individual medicine and the administration of collective bodies), operated in the sphere of economic process, their development, and the forces working to sustain them. They also acted as factors of segregation and social hierarchization, exerting their influence on the respective forces of both these movements, guaranteeing relations of domination and effects of hegemony. (p. 141)

State institutions, such as the school, reinforce the management of life, while perpetuating the segregation and the hierarchization of its populations.

Foucault (1977) expanded his analysis of the role of the school when he stated that educational institutions were created to “train vigorous bodies, the imperative of health; obtain competent officers, the imperative of qualification; create obedient soldiers, the imperative of politics; prevent debauchery and homosexuality, the imperative of morality” (p.172). Within the school, tests of various forms have become a

tool for biopolitical control. Foucault (1977) pondered the role of the examination in a biopolitical society when he questioned, “Who will write the more general, more fluid, but also more determinant history of the ‘examination’ – its rituals, its methods, its characters and their roles, its lay of questions and answers, its systems of marking and classification?” (p.185)

Standards-based reform in its current form was non-existent at the time that Foucault was writing; however, it appears Foucault predicted the emergence of the examination as an important component of a biopolitical society. Large-scale accountability systems are the mechanism by which standards-based reform keeps order in a biopolitical society. Linked to theories of biopolitics are discussions around the emergence of Neoliberalism.

Neoliberalism. Neoliberalism is a term that has been strongly connected to standards-based reform movements (Apple, 2004; Hursh, 2007). Giroux (2005) illustrated how the logic of the market impacted educational systems in a neoliberal society when he said the following:

Schools more closely resemble either malls or jails, and teachers, forced to get revenue for their school by adopting market values, increasingly function as circus barkers hawking everything from hamburgers to pizza parties—that is, when they are not reduced to prepping students to take standardized tests. As markets are touted as the driving force of everyday life, big government is disparaged as either incompetent or threatening to individual freedom, suggesting that power should reside in markets and corporations rather than in governments (except for their support for corporate interests and national security) and citizens.

(p.2)

Standards-based reforms emerged as a way to secure the relationship between the market and the educational system. Neoliberalism is often seen as an "inevitable" aspect of globalization, and public schools become increasingly more privatized when run by the logic of the market.

Also of importance in a neoliberal society is the way the individual itself is redefined. In a neoliberal society "citizenship has increasingly become a function of consumerism" (Giroux, 2005, p.2). Individualism and personal responsibility are highlighted as necessary to be a successful citizen in such a society. Thus neoliberal ideas perpetuate the illusion that schools are socially neutral places where each individual has the opportunity to succeed, if only they work hard enough. Individualism makes social systems appear to be equal, and make its members assume that all students (including those with disabilities) are on an equal playing field. Essentially, Neoliberalism and individualism ignore discrimination and social inequities. The idea that the problem of disability is located within the individual is also reinforced in a neoliberal paradigm.

Peters and Oliver (2009) detailed how the use of high stakes testing, within a framework of a market economy (where value is placed on competition, productivity, and individual achievement), depend upon extremely exclusionary practices that in fact are antithetical to ideas of inclusion. The assumptions they claimed that are inherent to NCLB, are that schools exist to produce citizens for the global market place, and that all students start off on a level playing field. The problem, they noted, is that schools are treated as "black boxes," which are isolated from societal influences. They are supposed to behave like machine bureaucracies where proficient "productive workers" are

produced. The problem for students with disabilities is that the goal is to "normalize" students and those who are unable to reach the demands of becoming "proficient" within the set constraints of schools are thus excluded and segregated.

Thus, both Foucauldian theory, which explain the emergence of a biopolitical society and neoliberal theory offer important frameworks by which to understand how standards-based reform inequitably affects students with disabilities.

The contributions of Bakhtin. Mikhail Bakhtin is another significant theorist whose ideas about language and literature are influential to my understanding of how discourse operates. Bakhtin's complex ideas regarding voice, dialogue, and the ideological nature of language are key to understanding how language works in lived social moments. Bakhtin argued that language should not be studied as an abstract system, but instead should be looked at as a lived reality that is social and deeply embedded in the struggles and ambiguities of everyday life (Maybin, 2001).

Although Bakhtin used the word "discourse" frequently, his central component of analysis was the "utterance." In his essay *The Problem of Speech Genres* (1986), Bakhtin defined utterances to be more than just spoken conversation, although that is a main component of the utterance. He delineated an utterance as anything from "a short (single-word) rejoinder in every day dialogue to the large novel or scientific treatise" (p. 80). Therefore a myriad of texts or discourses can count as utterances. There are clear cut boundaries between the beginning and end of an utterance for Bakhtin and the boundaries are set when speaking subjects alternate, or when a text such as a book ends.

Language is characterized as a struggle between what Bakhtin called centripetal and centrifugal forces, which are in constant tension with one other and that result in

language at any moment being stratified and diversified into different genres (Maybin, 2001). Centripetal forces are, for Bakhtin authoritatively fixed discourses that permeate the ways we understand and associate things. Bakhtin (1981) called the authoritative text, “so to speak, the word of the fathers” (p.78), as it is privileged in society. It is this discourse that is associated with political centralization and a unified culture, and Bakhtin (1998) stated that authoritative discourse:

demands our unconditional allegiance... authoritative discourse permits no play with the context framing it, no play with its border, no gradual and flexible transitions... it enters our verbal consciousness as a compact and individual mass; one must either totally affirm it, or totally reject it. It is indissolubly fused with its authority- with political power, an institution, a person- and it stands and falls together with that authority. (p.42)

Although for Bakhtin the centripetal forces of authoritarian discourse are very influential, they are in constant tension with a centrifugal force. This centrifugal force was commonly referred to as an “inwardly persuasive discourse” (Bakhtin & Medvedev, 1985). This inwardly persuasive discourse comes from a variety of genres that a person may be associated with, each genre encompassing its own world view. This discourse also takes into account its audience, and as such it is never static. For Bakhtin the tension between these forces are central at every operation of language usage.

Another important concept from Bakhtin is the idea of the genre. In addition to the existence of a variety of literary genres, Bakhtin stressed that there are a variety of every day speech genres (Maybin, 2001). These speech genres are affected by one’s association with different groups, with different types of people, and with different social

locales. For example, genres can be associated with ones relationship with a particular person, with a profession, or with a generation. Genres are malleable, although some are more stable than others. Finally, when the various genres and centrifugal and centripetal forces merge to create an utterance, the result is what Bakhtin termed a heteroglossia, which he defined as the “multiplicity of social voices and a wide variety of their links and interrelationships” (Bakhtin 1998, p. 32). Although Bakhtin acknowledged the influence of authoritative and norm-based ideologies, he also believed that by adapting various genres and internally persuasive dialogues, one can find increased liberation through language.

Bakhtin’s work is important to my research for several reasons. First, Bakhtin acknowledged the possibility for individual agency. In my investigation of the shifting and changing nature of discursive production, Bakhtin’s ideas of genre informed my analysis of data. Highly authoritative discourses (such as standards-based education reform) have also become, through policy and media, highly polemic and coercive. However, this theory has offered me the possibility for more localized understandings of policies. Educators have competing genres influencing their understandings, which present new and divergent knowledges into ones heteroglossia of understanding and acting.

Specific units of analysis from Bakhtin’s theory such as utterances, texts, and various levels of authoritative and non-authoritative utterances are all important to my study. Of course, as a qualitative researcher following Bakhtin’s words, it was also important to understand that people altered their utterance based on the audience, or perceived audience. This helped me to understand my position as an interviewer. The

theory and concepts offered by Bakhtin strongly influenced how I understood the information presented by participants in my study.

The various theoretical perspectives that I have used to make meaning of my data productively interact with one another. Foucauldian and Bakhtinian theory have allowed me to view standards-based reform and special education as authoritative discursive frameworks which interact with one another. All participants in this study interact with these discourses, but have different associations with the level of subjugated knowledge (Foucault) or genres (Bakhtin) they accompany. Disability studies is a discursive framework that Foucault would call a subjugated erudite knowledge (Allen, 2005) or that Bakhtin and Medvedev (1985) would refer to as a genre that one associates with that acts as a centrifugal force against the authoritative discourse. Disability studies has therefore provided me with a vantage that allows a complex view of the discursive systems that standards-based reform has enacted.

Conclusion

This literature review provides a snapshot of the most relevant and pertinent literature related to this dissertation. Because standards-based reform movements are emerging on a global scale and are affecting almost every aspect of our educational systems, there is a very large body of literature describing the various aspects of the reforms. I focused on general research about the successes and failures of NCLB, on school turnaround models, and on students with disabilities. Even though there is a great deal of literature on these topics in general, there is little research that has incorporated a

critical qualitative investigation of how the reforms are affecting special education, particularly at urban schools that have been labeled failing.

DSE literature provided a framework for me to understand how the construct of disability is used in our nation's educational systems. The theories I drew upon also presented a foundation that helped me to define my methodology, analysis, and findings.

Chapter 3

Methodology

This is an interpretivist (Howe, 1998) qualitative study, which relies on the perspective of educators, administrators, and policy makers. Throughout my study I use qualitative research, which shares “a deep appreciation of the subjective experiences, perspectives, and views of people” (Giangreco & Taylor, 2003, p. 136). When approaching qualitative research through an interpretive methodology, one believes that knowledge is socially constructed by the participants in a study (Walsham, 2006). In interpretive qualitative research, the goal is to understand the perceptions individuals have of their own activities. When this occurs the researcher can uncover the intricacies of a situation or phenomenon, while also describing the contextual complexity of the matter under review (Kelliher, 2005).

In this chapter, I explain the choices I have made in terms of my interpretive qualitative methodological approach. I describe my position in the study, my research design, the settings and demographics of participants, my data collection process, my approach to analysis, and ethical considerations.

Background

My interest in the topic of standards-based reform began both personally and theoretically. During the time when I was earning my Master’s degree in disability studies, I was also tutoring in an urban elementary school, the same school I chose as the site of primary data collection. One of my roles was to help students with and without disabilities prepare for the third grade New York State Regents exam in Math and

English. Simultaneously, I was studying literature from the field of disability studies, such as Stephen Gould's (1996), *The Mismeasure of Man*. This book poignantly demonstrated the ways that intelligence had been created over the years in order to measure, rank, and label people. Gould's analysis links studies on craniotomy to the use and application of intelligence tests. I was also taking a sociology course in which I was learning about Foucauldian theories of power and biopolitics. With these theories in mind, I began to see the limited ways intelligence was being constructed and measured through these state sanctioned exams.

At this point, I started to think and write about what a disability studies perspective could offer in terms of understanding high-stakes testing. I wrote and presented a variety of papers, which applied Foucauldian theory and disability studies theory to better understand standards-based reform. I have consistently kept up with literature and theory surrounding these issues over the years. My understanding of the ways these reforms operate have nonetheless evolved over time.

When I began to attend a number of IEP meetings in schools, I continued to see the influence of standards-based reforms over school-based special education decisions. One particular moment that promulgated me further into this research was an experience I had working with a family who had a son with a disability in a suburban high school. The family was advocating for a more inclusive placement for their son, who was diagnosed with a mild intellectual disability and was segregated for most the day. During the series of meetings I attended, teachers and administrators from the school continuously justified this young man's segregation because they believed the student could not master content standards or pass the Regents tests. They reiterated the fact that

they could not include the student in regular education classes because it would not be “fair” to other students if they modified the content too much for students with disabilities. This helped me to recognize the profound ways that standards-based reforms were affecting the lives and inclusion of students with disabilities. I quickly realized that there was room for an in-depth critical qualitative investigation of these processes, particularly in an urban context. Thus, I embarked on the journey toward this dissertation.

Position

The primary site for my data collection was a school in which I had previously worked. However, it had been nearly five years since I regularly worked in the building; furthermore, the after school program that I had worked in had since been discontinued. The program focused on violence prevention in inner-city schools. It operated for 10 years, ending in June 2010. The program was a partnership with a local university and funded through a grant from the state of New York. It was described by Burns, a retired administrator, who ran the after school program:

What we did was rather than replicate what they were doing during the school day, we designed a program that allowed children to select enrichment activities that ranged from music to dance to African drum to arts and, we had karate and other physical fitness games... Then the other children rotated on a nine week basis and they got other math, science, and ELA activities that tried to enrich their in school experiences. I think we were really successful with that. I think some kids did increase their scores, but I also think it gave them outlets to really to learn about things they wouldn't find out about in the regular confinement of their

classroom...and to get them off the street during real crucial times in the afternoon.

My role in this program was to tutor students during the day, then support enrichment teachers in the after school program. During the second year that I worked in the program I acted as the enrichment science teacher.

It was useful to have knowledge of the school when recruiting school-level participants and when conducting interviews. However, with high turnover rates, with the length of time that had passed since I was a daily participant in the school community, and because the program ran after school, many of the participants did not remember me. In fact, only one participant remembered me by name. Thus, I felt as though I was able to maneuver between being an “insider” and “outsider” in regards to the school community. Dwyer and Buckle (2009) explained that existing in this liminal “space between” is often beneficial, as one can flexibly inhabit multiple positions simultaneously. I believe that in many ways occupying this space between was useful as it appeared that participants respected the fact that I had some sort of insider knowledge of the school community. At the same time, it was useful that my knowledge was lacking in regards to recent evolvments at Westvale, as participants could be instructive during interviews about the inner-workings of the school.

I also felt it was beneficial that I had the identity of a student. Many participants described university faculty as influential to many grants and programs that have an impact on the district that I studied. However, because I was not visibly connected to the faculty of any of the local universities, I felt participants were willing to discuss honestly their feelings about programs that were either spearheaded by university faculty, or that

were collaborations between the university and the district. At the same time, it is feasible that my connections to university life still made some access difficult. For example, I ran into a considerable trouble receiving approval by school-level administration to conduct my research. It took help from my advisor and many months of emails and phone calls to receive the consent of the Westvale administration to conduct the interviews. It is not entirely clear why I ran into trouble getting access. Perhaps the administrators were skeptical of researchers in general, or perhaps there was concern about the choices that the school made in regard to service delivery for students with disabilities. These possibilities are however only speculation.

My position as a white, able-bodied, middle class female no doubt also had an impact on the choices I made throughout the research process. According to Marshall and Rossman (1999), the challenge for a qualitative researcher is to prove that “personal interest will not bias the study” (p. 28). However, according to the authors, this challenge can be mitigated when the researcher has a strong understanding of possible biases and is building on a strong theoretical foundation. As I conducted each interview, I critically reflected upon my positionality and worked to establish a relationship with each participant. I also attempted to learn as much as possible (through internet searches, etc.) about each interview participant prior to the interview so that I could tailor some of my questions to their specific position.

In terms of interview participants, six out of eight of the teacher-participants were White women. It is well documented that white women make up the majority of the national teacher demographic (National Education Association, 1997). Because of this factor, I felt many of my school-level participants related to me. I felt that when I was

interviewing other White women, they felt we had a common understanding about the desire to be embedded in urban contexts. It is also possible that when recruiting participants, I was more likely to have white, middle class participants agree to the interviews. Furthermore, after analyzing my data, I realized that participants openly discussed student difference regarding ability, class, and language. However, race was relatively absent in participants dialogue. This may have been emblematic of both my participants and my own Whiteness.

I had a surprisingly high response rate from school and district-level administrators and from policy makers. These participants were more likely to be male, but still the majority of participants were able-bodied and White. I was able to establish rapport with most interview participants and I worked to establish connections based on similarities between participants and myself. In many cases I revealed only necessary information to participants, but enough information to help them to feel I was some one who they could trust and relate to.

At times it was difficult not to react to information that participants revealed. Occasionally, I was surprised or dismayed at what participants relayed to me. I however made it a goal that regardless of my internal feelings about what was expressed, I would respond with a value-neutral acknowledgement and shared understanding. At times this was difficult and, on occasion, when I agreed with participants I found myself expressing some of my feelings. However, I never outwardly disagreed with participants.

Also, I was able to attend parent meetings and other district meetings without drawing attention to myself as a researcher, even when the meetings were intimate. In regard to the parent meetings, I had previously established rapport with many of the

parents who regularly attended meetings because of work I have done with parent-advocacy in the community. Other meetings I attended were large and I was relatively anonymous. When I attended a state level meeting in Albany, I was clearly the only outsider, even though the event was technically public. However, several members of the panel already knew me and I was straightforward about my reason for being there.

Overall, my position as a researcher, a member of the university, and as a white able-bodied female had an impact on the data I received in particular ways. I made an ongoing effort to be aware of my position and subjectivity. This was also important to keep in mind as I analyzed my data. During this process I worked to acknowledge and use my position and bias productively.

Research Design

The works of critical policy analysts were influential in the way I operationalized my research design. Ball (1997) defined basic ideas of critical policy analysis.

[The] prevailing, but normally implicit view is that policy is something that is “done” to people... Policies do not normally tell you what to do; they create circumstances in which the range of options available in deciding what to do is narrowed or changed or particular goals or outcomes are set. A response must still be put together, constructed in context, offset against or balanced by other expectations. All of this involves creative social action of some kind. (p. 270)

The goal, then, of many critical policy analysts is to understand the ways the policy affects social action at various levels of power. Ball (1993) described policy trajectory studies, where the objective is to understand the trajectorial effect of policy documents

based on lived experiences of participants. Ball's approach to policy analysis was not simply to analyze policy at the level of the written policy text. Instead, his technique used a cross-sectional analysis, where policies were traced from the point of formulation to struggle and response through various levels of power from within the state to the various recipients of the policy.

I am not labeling my study a critical policy project; however, the work of Ball has helped me to formulate my research design. I have attempted to understand the ways that individuals throughout the system describe standards-based reform. Interviews and observations are my primary source of data. Instead of tracing policy to the lived experience of participants, as Ball did, I traced the documented experience of people back to the policy. I started with the larger policy of standards-based reform and have attempted to gain an understanding of the conditions policy created for individuals in a variety of contexts. I have also utilized policy itself as secondary data in order to contextualize the realities constructed by participants.

In order to identify my secondary data I am influenced by feminist scholar, Tamboukou (1999; 2008), who used a Foucauldian approach to gather data and used narrative analysis to make meaning of her data. Her research investigated the ways that women teachers in late 19th century England thought about and imagined space. She discovered that both imagined space and material space was very important to the identity of the women she studied. To reach these conclusions, Tamboukou undertook a study where she used both primary documents and secondary documents in order to understand the histories and contexts of the narratives of her female participants.

Reissman (2008) described Tamboukou's process as:

Tack[ing] back and forth between primary data and the scholarship of others, checking what she is seeing in the self-writings (e.g. themes of escape and traveling) against concepts others have elaborated (e.g. "narratives of elsewhere" in women's writing). A theme may emerge from reading a primary source, but it needs to be supported with other historical materials (e.g. "the room" at Girton College). Material from other sources enlivens an emerging theme and complicates it. (pp. 66- 67)

Similar to this approach, I utilized secondary data to gain a deeper understanding of the themes and comments from participants. The secondary data was obtained from a variety of outside sources including policy documents, media coverage, research briefs, school and district websites, blogs, and so on.

Overall, my research design was guided by my desire to understand the discursive (in a Foucauldian sense) framework that is created by standards-based reform. Because I chose to interview individuals who were making policy as well as implementing policy, I did not want to place blame on any individuals, regardless of their position within the system. Embedding interview and observation data in a larger context of the secondary data helped me view each individual's narrative in relation to the standards-based reform movement.

I also label this study as "critical" qualitative research. Philips and Jorgenson (2002) explained that approaches to analysis can be labeled critical when they embed an analysis of unequal power structures, with an end goal toward social change. Bogdan and Biklen (2003) explained that researchers using a critical theory approach understand that research is a political act and seek to challenge existing inequalities and social

hierarchies. I approached this study by utilizing disability studies as a theoretical framework for analyzing and understanding my data. Disability studies provided me with a critical lens by which to view inequities that exist in schools along ability, racial, class, gender, and language lines. Furthermore, the critical research approach is particularly useful when researching a school where students face multiple aspects of oppression.

I used three forms of data collection in this project. My primary data was comprised of interviews and observations. Secondary data was obtained from public documents such as policy documents, media stories, public interview transcripts, research briefs, school and district websites, blogs, online forums, curricula, and PowerPoint presentations. All three forms of data collection were designed to obtain information that would deepen my understanding of the discourse system of standards-based reform.

I designed this study to learn in-depth about how standards-based reform affected special education at one urban elementary school, which I have called Westvale Elementary School¹. I then worked my way outward by recruiting administrative participants from Springertown School District². Finally, I moved further outward, by recruiting participants who are New York State policy makers. This approach helped me to understand the system, the policy, and social context that contributed to the circumstances present at Westvale.

I also purposefully attended events that would provide me with information about both special education and standards-based reform from a range of perspectives. This is

¹ A pseudonym. Throughout this dissertation Westvale Elementary School will be referred to as Westvale.

² A pseudonym. Throughout this dissertation Springertown School District will be referred to as Springertown.

why I chose to attend public events that included parent meetings, district meetings, state-level meetings, and federal-level meetings. I also obtained publically available documents that offered insight into the perspectives of individuals at the school, district, state, and federal levels.

Setting

As noted, I have drawn data from a variety of sources in an effort to understand the system of standards-based reform as it pertains to special education. These sources were not physical sites to collect data from, but places where I recruited participants and information. I begin by providing some demographic information for Westvale elementary school³. I present this information in reference to the urban district in which it resides, Springertown School District. The conception of what constitutes the “urban” school is socially constructed. According to Buendia (2011), the term urban stands in for a variety of conceptions that position it in opposition to the image of the suburban environment. The use of the term “urban” tends to evoke images of so-called “bad neighborhoods,” high poverty, or racialized spaces. My goal was not to perpetuate such ideologies, but also recognize that urban was the descriptor that many of my participants used to describe Westvale Elementary School.

Westvale Elementary School is a Kindergarten through fifth grade school. According to the 2010-2011 New York State school report card, (NYSED, 2012b)⁴

³ The information in this section is kept purposefully vague, as to protect the anonymity of the school. Therefore percentages are in many cases rounded.

⁴ Unless noted otherwise, all demographic information in this section comes from the New York State report card.

Westvale had a student population of approximately 400 students; however, the enrollment continues to decrease substantially in recent years. According to special education teacher Songer, the school had lost about 250 students since 2001. According to the New York State report card, even in the last three years, the enrollment decreased by 60 students. At the time of the study, Springertown School District enrolled approximately 20,000 students.

During the 2011-2012 school year, 97% of students at Westvale qualified for free lunch, and the remaining three percent qualified for reduced lunch, putting 100% of students in the school in the either free or reduced lunch category, a common mechanism for understanding the social economic status in schools (Harwell & Lebeau, 2010). These statistics indicate a high level of poverty at Westvale. During this same year, 72% of the students in the Springertown School District were eligible for free lunch and seven percent were eligible for reduced lunch, revealing that poverty is high across the district, but considerably higher at Westvale.

The racial and ethnic makeup of the school in the 2010-2011 school year was: 35% Black or African American, 50% Hispanic or Latino, 10% White, and less than 5% in other categories. For Springertown School District, approximately 50% were Black or African American, 10% were Hispanic or Latino, 30% were White, 5% Asian, and less than 5% fell into other categories.

In terms of language demographics, 40% of the school's students were considered Limited English Proficiency (LEP), while the overall total for the district was approximately 12%. According to an interview with Brantler, a school-level administrator, a higher percent of students at Westvale were designated as English as a

Second Language (ESL) students: “Our ESL population at one point got up to 51%.”

Also, as reported by the Office of Civil Rights (2012), during the 2009-2010 school year, of the 40% LEP students 70% of them were in the Hispanic or Latino category.

Approximately 21% of students at Westvale were labeled as students with disabilities under the Individuals with Disabilities Education Improvement Act (IDEIA). This percentage is consistent with the overall percentage of students for the district as a whole, also falling at 21%, but much higher than the national average falling at 13.1% (U.S. Department of Education, 2011). Interestingly, however, there were a disproportionate number of LEP students who were also labeled as students with a disability at Westvale. In the district, of the 10% that were deemed LEP in 2009, six percent were also labeled as students with a disability. Also, according to the Office of Civil Rights data set (2012) for the 2009-2010 school year, of the 40% LEP students at Westvale, 58% of those students were labeled as students with a disability under the IDEIA, indicating that LEP students are disproportionately labeled as having a disability at Westvale.

The New York State Regents reports annual scores and standings for students in the school by subgroups. The subgroups reported include: ethnicity, students with disabilities, limited English proficiency, and economically disadvantaged. During the 2011-2012 school year, Westvale failed Annual Yearly Progress for all subgroups in both English Language Arts (ELA) and Mathematics. Because the school failed in both areas, Westvale further declined in terms of its accountability status.

When student specific scores are reported, they are broken up into four levels: 1 means “below standard,” two means “meets basic standard,” three means “meets

proficiency standard,” and four means “exceeds proficiency standard.” In both the ELA test and the Mathematics test, over 84% of students received a score of one or two for all grades in both ELA and mathematics tests. No students in the entire school scored a four on any English language art or mathematics test.

Springertown School District was deemed a District in Need of Improvement. For ELA, the district failed to meet AYP standards for almost a decade. During the 2010-2011 school years, the district failed to make AYP for all subgroups except “multiracial” in both ELA and mathematics at the elementary level.

Because both the school and the district are under review, the situation is both unique and, yet, common. Many schools and districts across the country with demographics that are similar to Westvale Elementary School and to Springertown School District are likewise under review. According to the Legislative Research Commission (2010); “Persistently low-achieving schools on average far exceed the state in percentages of students living in poverty and minority students” (p. 30). In many regards race and class have become signifiers for PLA identification. Conducting my research at the local level provided me with a specific understanding about how special education is thought about and dealt with when a school is under review by the state. In regards to obtaining information from the state level, I worked to recruit knowledgeable participants and gather information pertinent to my topic.

Participant Demographics

The participants for this study were garnered through a purposeful sampling (Bogdan & Biklen, 2003) technique. The participants were not randomly chosen. Instead,

participants were chosen because of their knowledge about the topic and their job title. In order to recruit participants I sent emails and/or made phone calls to approximately 75 individuals. I ended up conducting 19 interviews, with 22 participants. During three interviews, participants unexpectedly asked if knowledgeable colleagues could join them. I agreed in all cases, and during two of the three, I was able to spend approximately 30 minutes with the intended participant before the other participant joined.

In order to recruit participants from Westvale, I first met with Gregory Burns who had previously run the grant that I worked on at Westvale. He has maintained connections at the school and provided me with several contacts. I also obtained an online directory of all educators' names, emails, and their job titles for Westvale Elementary School and for Springertown School District. Westvale had approximately 75 employees in its directory. I recruited approximately 35 individuals who had jobs in which they either primarily worked with special education students, or they worked with special education as a component of their job. I was able to interview 8 educators who either currently worked or recently worked at Westvale. One participant did not show up to a scheduled interview; she explained afterward that she was dealing with child protection services at the school, but she never responded to requests to reschedule the interview.

Because of my connections to Westvale and because of information provided by Gregory Burns, I was also able to recruit several past and present administrators of Westvale. I interviewed a total of five school-level administrators. All but one school-level administrator whom I contacted participated in an interview, resulting in a very high response rate.

In regard to district-level administrators, I recruited individuals who were involved in overseeing the district as a whole and those who were involved in overseeing special education for the district. I sought out approximately 10 individuals and was able to conduct four interviews with five individuals at the district administration level.

In order to recruit state-level participants, I introduced myself to several individuals at a public event. I then learned how the email system worked for the state (which was not straightforward on the website), and I emailed approximately 15 individuals. One participant indicated that she was acting as the spokesperson for approximately 6 other individuals I recruited. Two other state level individuals who work for the New York State Education Department (NYSED), Office of Special Education agreed to participate in interviews. One of these interviews was conducted in the area of Westvale, one in Albany, and the other over the phone. The chart below offers detailed information about interview participants including pseudonym, purposely vague job title, current role, previous role, years teaching, gender, and race/ ethnicity. The research participants are presented in table 3.1.

Table 3.1

Interview Participants Details

Baron, Patrick	Teacher	0-5	M	White
Davis, Rhonda	Teacher	10-15	F	White
Johnson, Matthew	Teacher	5-10	M	White
Handley, Sara	Teacher	15-20	F	White
Curry, Megan	Teacher	20+	F	White
Songer,	Teacher	20+	F	White

Carrie				
Gartner, Alexander	Teacher	30+	F	White
Clark, Tanya	Teacher	5-10	F	White
Burns, Gregory	School Level Administrator	30+	M	White
Kroger, Timothy	School level administrator	20+	M	White
Allan, Emily	School level administrator	15-20	F	White
Brantler, Julia	School level administrator	10-15	F	White
Slater, Cory	School level administrator	20+	F	White
Longer, Terri	District level Administrator	30+	F	White
Lather, Judith	District level Administrator	20+	F	White
Skinner, Neil	Special Education District level administrator	30+	M	White
Kloser, Jay	Retired District level administrator	30+	M	White
Garcias, Mary	District level administrator	15-20	F	Latina
Hoffman, Sally	State Level Administrator, NYSED	30+	F	White
Davern, Randy	State Level Administrator, NYSED	30+	F	White
Yunaska, Kyle	State Level Administrator, NYSED	30+	M	White
Nelson, Rebecca	Consultant	5	F	White

Data Collection

In the tradition of qualitative research, I used data collection techniques that allowed me to understand the context and the point of view of participants (Bogdan & Biklen, 2003). I therefore chose to use in-depth interviewing, observing, and document analysis as my data collection tools.

Interviews. My interview data were obtained through semi-structured interviews (Wengraf, 2001). Semi-structured interviews are useful in that the method allows for some flexibility in the process of the interview. At the same time, there is some opportunity to gather comparable data across participants. Interviews lasted between 60-120 minutes. Because each participant held a different job and entered the interview with a different perspective, my semi-structured interviews leaned more toward the unstructured format on the structured to unstructured continuum (Bogdan & Biklen, 2003). This allowed me to probe when participants brought up subjects relevant to the study. It also provided participants with the opportunity to tell the story they were interested in telling me. I also used slightly different interview guides for school level educators, administrators, and policy makers. See appendix A for sample interview guides.

I conducted interviews at a locale of the participants' choosing. Because I did not have IRB approval to observe in classrooms and because I did not want to disrupt the school day, I requested that I conduct school-level interviews during times when my informants were not otherwise teaching. Some participants invited me into their offices or classrooms after school hours. Other participants requested that we meet in neutral

locations such as in their home, at libraries, and at a local university. Two interviews were conducted over the phone because of geographical distance.

While conducting interviews, I used an audio recorder with the participants' consent. I also jotted down important notes as I was interviewing, although most of my attention was dedicated to listening to the participant. After interviews, I used the audio recording device to note my personal reactions to the interview and to document important events that were not obvious in the audio recording. In a few cases, participants talked with me more candidly after the tape was shut off. I therefore would record this information after the interview was completed. I also commented upon possible emergent themes during this process.

Each interview was audio taped and then transcribed. I sent out 10 interview recordings to be professionally transcribed. After the transcriptions were returned, I checked them for accuracy. The other nine interviews I transcribed myself. I used the software program, Dragon Naturally Speaking to aid with the transcription process. After I completed initial transcriptions, I rechecked them for accuracy. Each interview was transcribed verbatim, with the exception of fillers such as "Um." I also documented long pauses, or relevant voice inflections that were used by the participants. Throughout the transcription process, I wrote memos about the possibly emergent themes that I was noticing in the interviews.

When I wrote up my data in the dissertation, I edited the transcribed words to ensure the participant's spoken words were more readable. I used ellipses to signal places where I removed words that were extraneous, repetitive, or that were not relevant to the passage. I used brackets when I added fillers in order to make sentences grammatically

correct. I however did not change any actual words of the participants and worked to be sure I was honoring the context of the participant's dialogue.

Observations of public forums. I also attended a variety of meetings and events to learn more about standards-based reform and special education. Over a period of a year and half, I attended approximately 15 events that were informative to my research. I did not have IRB approval to attend meetings or events that would be considered "private," so all events I attended were open to the public.

Because of the large amount of information collected at the various events and meetings, I focused on several of the most informative events when writing my dissertation. When I attended events, I either audio recorded the event and transcribed useful components of the meetings or I took detailed typed or hand written notes. The nature and intimacy of the event dictated my form of recording information. If there were handouts or PowerPoint presentations that were shared at the event, I also saved this information and used it as data.

I attended a variety of events about standards-based reform at the national, state, and local levels. The chart below provides a detailed account of all events I attended with the name of the event, the date of the event, the location of the event, the important individuals who spoke or attended the event, as well as the format of data collection that I used. All events were helpful to my understanding of the issues, but several became extremely important to this dissertation. One particular highlight was a two-day Commissioners Advisory Panel for Special Education Services meeting, which I attended in Albany, NY. Here I learned a great deal about state priorities and emerging reform issues. Also, because the panel was made up of a variety of constituents, I began to

understand policy perspectives as well as divergent stakeholder perspectives on standards-based reforms as they pertained to students with disabilities. District level meetings including Special Education Parent Teacher Association meetings were also useful in capturing divergent perspectives on key issues. During some events that were formalized or pre-scripted, I felt I was simply documenting the rhetoric of the speaker, more than gaining an understanding of the individual perspectives or beliefs of the individual, as is the goal of qualitative inquiry. However, these “official” statements are also useful to understand the policy context of reforms. The events that I attended are described in table 3.2.

Table 3.2

Observations of Public Event Details

Event Title	Event Date	Event Locale	Important people present⁵	Form of data Collection
Office of Special Education Programs (OSEP) Project Directors Conference	July, 2011	Washington DC	Alexis Posney (OSERS), Jennifer Coffey (OSEP) Geoffrey Canada (Harlem Children's Zone), Martha Thurlow (Expert)	Typed and handwritten notes, audio recordings, and handouts/ power points
Special Education Parent Teacher Association Meetings	September, 2011; December, 2011; January, 2012; March,	Various Springertown Schools	Parents, district administrators, teachers	Handwritten or typed Notes

⁵ I chose not to use pseudonyms in this chart because each of the events was open to the public. In more localized meetings I do not disclose detailed information in order to protect the anonymity of the participants I did guarantee such protection to.

	2012			
Trends in Education Policy and Reform	September, 2011	Springertown, NY	Cynthia Brown Vice President for Education Policy Center for American Progress	Typed Notes
Springertown, Forty Years of Urban Education Landscape: From Croton on Campus to the Promised Neighborhood	September, 2011	Springertown, NY	Charles Payne, National Expert on Educational Reform	Typed notes
A conversation with Michelle Rhee	October, 2011	Cornell University, Ithaca NY	Michelle Rhee	Handwritten Notes, audio recording was inaudible.
Consultant's Review of Special Education for Springertown School District	December, 2011	District Offices Board Room	Consultants, Board of Education, District Administration, community	Typed notes
Commissioners Advisory Panel for Special Education Services Public Meeting	February, 2012	Albany NY	A two day meeting with the NYSED Department of Special Education (James Delorenzo, Rebecca Cort, NYSED representatives) and the Commissioners Advisory Panel	Typed notes
Federal Education Landscape: What's In It for Students with	February, 2012	Denver, CO	Candace Cortiella, Director of the Advocacy Institute	Typed Notes

Disabilities?				
Schools without walls	March, 2012	Geneva, NY	Dan Drmacich, retired principal of schools without walls, a public school allowed to exist without participating in state testing	Typed notes
Trends in New York state education policy—including issues like school funding and accountability	April, 2012	Springertown, NY	Charles Borgognoni Executive Director, Central New York School Boards Association	Handwritten Notes
Public employees under siege? The case of public school teachers	April, 2012	Springertown, NY	Rebecca Given, Professor at Cornell University; Douglas Gerhardt, School District Lawyer; Pauline Kinsella, Executive Director of NYS teachers union	Typed notes
2012-2013 Budget Hearings	April, 2012	District Offices Board Room	Superintendent, Board of Education, community members	Typed notes

Documents. The types of secondary documents I used included relevant existing texts that were publicly available. Because, as Bakhtin (1981) stated, our discourse is composed of a heteroglot of ideas, which come from the “multiplicity of social voices and a wide variety of their links and interrelationships” (p. 32), it was important to

contextualize primary data. Therefore, I understood each participant's narrative within the standards-based discursive structure. Participants made meaning of their own experiences through various interactions with individuals, media discourses, research reports, policy statements, and curricula. Therefore, I decided to trace and embed participant narratives in outside documents.

Bogdan and Biklen (2003) categorized documents often used in qualitative research into three typologies: personal documents, official documents, and popular culture documents. I relied heavily on the use of official documents and popular culture documents in this dissertation. Official documents, Bogdan and Biklen explained, are documents produced by bureaucratic systems that explain the position of the organizations that produce them. Qualitative researchers use them because of their "interest in understanding how the school is defined by various people... In these papers researchers can get access to the 'official perspective'" (p. 128). Official documents that I relied in this study included policy statements, memos written by policy makers, official position or research papers, district and school websites, and curricula. These official documents would also be considered authoritative texts (Bakhtin, 1981).

According to Bogdan and Biklen (2003), popular culture documents such as videos, newspapers, and magazines are useful in helping researchers to understand the messages that are sent through popular culture and to understand the influence of these documents over the meaning that individuals make about their own lives. I therefore included media documents from newspapers, magazines, speeches, and radio clips that related to the dialogue of my participants.

Because the amount of official and popular culture documents that relate to educational policy is essentially endless, I needed to come up with a way to determine which documents were worthy of analysis and inclusion in my dissertation. Therefore, I decided which texts were “documents of importance” based on information gained from my primary data sources. This practice was particularly helpful when I did not fully understand a phenomenon described by a participant. Also, providing this type of context allowed me to compare the accuracy and understanding of participants in relation to policy. In many cases looking at the connections and disconnections between policy and participant explanation allowed me to see the ways that policies are interpreted in practice. This practice also led me to ask several interview questions, where I attempted to gain an understanding of what sources participants relied upon for personal understanding of policy and reforms. When participants cited a particular document in these conversations, for instance a media document or research article, I included those documents in my analysis whenever possible.

Analysis

My approach to analysis drew upon qualitative traditions of grounded theory and critical qualitative studies. In this section, I explain these traditions and how they related to my research. I then explain the process I undertook in order to analyze my data.

Grounded theory. My analysis was driven by aspects of grounded theory, as this was most applicable to the types of data I collected and to the emergent analysis I was completing throughout the data collection process. I drew particularly on Corbin and Strauss (1990), who explained the tenants of grounded theory. I followed elements of

these guidelines as I progressed through the process of collecting and analyzing my data. Overall my approach relied on the procedural elements of grounded theory. This said, I acknowledge that a disability studies framework served as a lens to view my data. I acknowledge that there may be some conflict in the approaches; however, recognizing my theoretical framework at the outset allowed me to adopt an analytical approach that relied on elements of both grounded theory and critical disability studies. I also do not believe that research is ever without a theoretical framework; however, it is also true that I made every attempt to bracket any preconceived assumptions as I conducted my analysis.

Corbin and Strauss (1990) explained that data collection and analysis should occur throughout the process, such that data collection is driven by ongoing analysis. I memoed as I went along and made choices about what events to attend and who to interview, based on emerging themes. Also, the authors explain that in a grounded theory approach, concepts are the basic units of analysis and that categories must be developed and related. Once concepts are developed they become more robust throughout the analysis process. I began to see important concepts develop throughout the process of collecting data. As I moved into the phase of in-depth analysis, emergent concepts became more clear, more specific, and more comprehensive. I constantly compared emergent themes to my data that so that I could be sure that these themes in fact came up repeatedly in the data.

The other important element Corbin and Strauss (1990) claimed must be present in a grounded theory approach is that the larger social conditions must be brought into the analysis. In relation to this, Corbin and Strauss (1990) explained that, “it is the

researcher's responsibility to show specific linkages between conditions, action, and consequences” (p. 422). By drawing on outside documents, I consistently brought the broader structural conditions to my analysis and my effort to build theory, which helped me to understand how the conditions at Westvale were embedded and connected to larger social institutions and structures.

Critical studies. As noted in the description of my research design, I also drew upon the tradition of critical studies for my analysis. In critical studies, one often has the goal of uncovering oppressive structures. In a critical studies approach, the researcher must attempt to expose the power relations that are implicit in data and highlight those relations throughout the analysis (McMillan & Schumaker, 2001). As I approached this study through a disability studies framework, I used critical theory to make meaning of the data that I analyzed. I created conceptual units through a grounded theory approach, but I also looked to uncover power structures that related to students with disabilities and other oppressed and marginalized groups. This critical approach helped me to develop themes and an analysis, which focused on the inequities and power relations created by standards-based reforms.

In using a critical studies approach, it is important that I claimed the perspective I was utilizing. Thus, the themes that emerged were generated through constant comparison of the themes and concepts to the data. I however also made meaning of the concepts through a critical lens, which is informed by disability studies literature.

Analysis process. Once I had all data collected and transcribed, I chose to use qualitative analysis software. I purchased a student priced package of Atlas ti 7. In regard to qualitative data analysis software, Fielding (2002) claimed that when used

appropriately, the software can help researchers become more intimate with data, facilitate an orderly and accountable analysis, and allow researchers to extract the maximum from their data. I found the software to be particularly helpful once I learned its intricate ins and outs. I was able to utilize open coding, and the software allowed me to code a variety of document types including word documents, pictures, PDFs, and PowerPoint slides. I was also able to attach memos to codes and to specific data. The software was flexible in its ability to code individual data nodes into multiple categories and to move them around as needed.

After transcribing and memoing, I entered and coded all data in the Atlas ti system. Initially, I had approximately 40 codes. I then went back through all codes, and used a constant-comparative method to be sure a code accurately represented what was present in the data. During this second round of coding, I condensed codes that were similar, removed codes that were not robust, and created sub-codes for extremely robust conceptual categories. During this phase of analysis, the software also allowed me to create visual networks of data nodes and codes, which helped me to develop an understanding of the relationships between codes and data. I was then able to output codes that included memos and information about relationships and networks. This was particularly useful as I wrote the data chapters, as I was able to keep in mind the history of memos and ideas that I had been documenting throughout the analytical process.

Also, embedding my primary data from interviews and observations in secondary data not only provided context for my research, but also allowed me to be sure the concepts I found were existent outside of my data. I was able to conceptually link themes

to outside information, allowing for reassurance that the concept I was developing was significant beyond my data.

Ethical Considerations

A variety of ethical considerations were made throughout this dissertation. On March 9th, 2011 I received Institutional Review Board (IRB) approval to begin conducting interviews and attending public events. Major ethical considerations that I dealt with involved the locales of my interviews and the discussion of sensitive topics.

Several participants requested to conduct interviews during the school day, because of personal time commitments. I, however, did not receive IRB approval to conduct research during the school day, and I knew that the administration at Westvale gave me consent on the grounds that I would not disrupt the flow of the school day. Therefore, I had to request that teachers find time to conduct the interview when students were not present. In several cases this caused me to lose potential interview participants. I did still conduct interviews in some school classrooms or offices after school. In these instances, other school employees walked in and out of the building. This caused me to be concerned about others overhearing interviews or even the possibility that interviews were altered based on the possibility of others hearing what was said. It was preferable to conduct interviews behind closed doors, but this was not always feasible.

I also asked sensitive questions of participants that in many cases were personal or difficult to discuss. When talking with past and present Westvale employees, it was clear that becoming labeled a “failing” school was a difficult process and some teachers spoke in great detail noting the pain that was attached to recounting the events. Some

participants indicated that they had never really discussed the process in such detail; one participant even claimed that it still was so painful to recount that the interview was like a therapy session. I thus had to be thoughtful about the needs of participants when discussing sensitive topics and I chose to probe only when I felt it would not emotionally affect the participant in a negative way.

I also had to navigate difficult terrain when interviewing individuals who held high-ranking positions at the district or state levels. On the most basic level, I had to work around these individuals' busy schedules and deal with time constraints for the interviews. Interestingly, when discussing how I would protect the anonymity and confidentiality of participants, several high-ranking individuals explained that they would not tell me anything different than they would reveal to the public. In this light, it was difficult to disentangle whether the information garnered from some interviews were the true feelings of participants, the public rhetoric, or a combination of both.

Dobbert and Kurth-Schai (1992) stated that exercising careful judgment about when and how to protect a person's anonymity can be extremely important in order to assure the participants meaningful participation in a study. Because of the public position held by many of my participants, I had to make decisions about what information I could reveal when writing the dissertation. These decisions were difficult, as it wavered between providing important detail and protecting the anonymity of participants. One measure I took to assure confidentiality and to protect anonymity was to use pseudonyms for participants, schools, the school district, and even the region in which data collection took place. The only specific information revealed in this dissertation is that the data was collected in New York State. Because of high-ranking jobs some participants hold, I also

used vague job titles. Overall, I worked diligently to conduct, analyze, and report my research in an ethical manner, adding to the robustness and legitimacy of the research.

Conclusion

Conducting qualitative research is a time consuming and in-depth process. However, I feel that the choices I made and my commitment to truly understanding the complex processes of the standards-based reform movement have paid off. Gaining perspectives and information from a large variety of sources profoundly helped me to view the reforms in a multi-dimensional and complex manner. Also, learning about how the reforms affect the daily lives of educators and administrators at Westvale and in Springertown allowed for a surprising and fascinating research process. The methodological choices that I made throughout the research process have led me to develop three data chapters explaining how standards-based reform affects special education. The subsequent chapters explain the process of what happened at Westvale, how inclusive education is affected by standards-based reform, and the processes and priorities of the implementation of standards-based reform.

The methodological choices I made throughout this study allowed me to gain an in depth vantage into how Westvale Elementary was transformed after it was deemed Persistently Low Achieving by New York State. The next chapter reveals how this process occurred and what the particular ramifications for special education were.

Chapter 4

The story of Westvale Elementary School

A goal of this study was to understand the processes of how the special education system at one urban elementary school was affected by standards based reform. This chapter provides a thorough description of the process that Westvale went through in becoming labeled a Persistently Low Achieving (PLA) school—a designation shared by many under-resourced urban schools. I then describe how the process affected the culture and morale of staff at the school. I conclude the chapter with an explanation of how inclusive education, in particular, was affected at Westvale.

Becoming Proficiently Low Achieving

Westvale Elementary school is considered a “failing school.” According to Allan, who held an administrative role at Westvale during its evolution into becoming a failing school, the school was doing well under accountability measures until things abruptly changed in the way that schools were rated:

[During] my first year [at Westvale] as principal, our scores came back and we were jumping for joy. We shouldn't be because it was only 51% of the kids passed ELA, which is not anything to write home about, but it was extremely high for them. And 81% of the kids passed math.

Several months after Allan received this good news, district-level administrators told her that they were on a list indicating that they had become designated a *School in Need of Improvement*.

What happened that year is that the ESL [English as a Second Language] students take the exam called the NYSESLAT [New York State English as a Second Language Achievement Tests]. And the state was charged under No Child Left Behind to figure out a way, because they were exempt for three years--how are we going to count them? So they rolled that in. So the ELA [English Language Arts exam] that year was 4th grade--that year it was one, two, three, or four. And the NYSESLAT exam, it's an accountability [measure] for the teachers and students, but it only measures, are they a beginner? Or, are they advanced? Are they intermediate, or proficient in their language skills? So the state said, "Okay everybody that got a beginner, even if they have only been in this country for two days, it counts their state tests scores as a one." It was really unfair! So, they rolled those in so we had a few proficient kids and they were at a four. So, it rolled into our scores and it lowered our score drastically. And once you're a school like [Westvale] and you get on the list it's really difficult. The next year, you know, you just proceed.

Because 40% of Westvales students were deemed to have Limited English Proficiency (LEP), the school was disproportionally impacted by New York States decision to alter LEP students test scores. Allan's statements were corroborated in a memo sent by Jean Stevens (2009), the associate commissioner for the New York State Education Department (NYSED). The memo explained the targets ELL students must reach under NCLB. Specifically, the memo stated that if these students have not met targets for two consecutive years, an improvement plan must be submitted. Because

Westvale did not meet the targets, the school quickly evolved through the process and soon became labeled PLA. Allan continued to explain the process:

The next year... they changed how we did something and they said we skipped all the in between steps and we went to SURR [School Under Registration Review]. Because your scores based on the world or whatever you see are really low, so you skipped all of that, and you're so low for ESL that you're going on the SURR list... The next year, they put in a three, or my second year they put in the three through eight test, we just couldn't keep up above it. And then they invented PLA and we were low, low, low, low. So it was like 0 to 60 in like three years.

Allan's description of becoming a PLA school is consistent with how New York State has described the process. According to the New York State Education Department (NYSED, 2011) "New York is required to identify as persistently lowest-achieving the bottom five percent of Title I schools" (para. 12). According this NYSED (2011) document that provided questions and answers about PLA schools, the criteria for being identified a PLA school means that the school must:

- have been a school in the restructuring phase of New York's differentiated accountability system;
- have, for the 2009-10 school year, an average performance index for the "All Students" group in ELA and mathematics of 141.5 or less for a Title I school and 162 or less for a non-Title I School; and
- have failed to make at least a 25 point gain on each ELA and mathematics measure for which the school was accountable between 2006-07 and school year 2009-10.

Once a school is deemed PLA, they must work with the district to choose one of four intervention strategies. The strategy options include the turnaround model, the restart model, the transformation model, or the closure model. Westvale Elementary School chose the transformation model, where “the principal is replaced and the staff are evaluated in accordance with new State legislation and provided appropriate professional development to implement a new educational program at the school” (NYSED, 2011, “Frequently Asked Questions” para. 3). One of the major stipulations for schools using this model is that they must use teacher and leader evaluation systems, “for teachers and principals and reward school leaders, teachers, and other staff who, in implementing this model, have increased student achievement and high school graduation rates, and identifies/removes those who, after ample professional development, have not increased student achievement” (NYSED, 2010, “Questions and Answers” para. 4). Furthermore, when a school goes through the transformation process they are allotted state financial assistance, which is referred to as a School Improvement Grant (SIG). Westvale was allotted over seven million dollars over a three-year span in order to implement the transformation plan. The SIG funds clearly present a considerable incentive for districts and schools to accept the sanctions that come with acquiring the PLA status.

Once it was determined that Westvale would go through the transformation process, a redesign team was created to develop the plans for the transformation process. On the Springertown School District webpage, I was able to obtain the full transformation plan for Westvale, entitled “LEA [Local Education Agency] implementation plan for the transformation model” (LEA, 2010, p.1). The members of the redesign team included; 2 principals of schools with similar demographics, the

Director of Pupil Services, 2 teachers from similar schools, 4 Westvale teachers, one community liaison, and one Westvale Parent.

Because Westvale chose the transformation model, one of the requirements was to “replace the current leadership with a new team of effective leadership” (LEA, 2010, p.2). According to school-level administrator, Allan, “[the vice principal] and I were the only ones who got passing scores. And they said it was the leadership and the PD [Professional Development] were effective and the phys ed. department. Other than that, not so good.” Later in the interview, Allan described her conversation with the Superintendent about having to leave Westvale: “I said “I just want to stay at [Westvale]-I don't want to go anywhere else”. He said, “[Allan] you are great but not worth \$2 million”.”

Beyond having to replace the administration, the teachers union worked with the state to develop rules about staffing processes at PLA schools. Thus, the PLA teachers and administrators were not subject to the same union protections as were other teachers in the district. In this plan, all teachers who decided they wanted to remain teaching at Westvale had to re-interview for their job. The LEA (2010) plan indicated that a protocol must be put into place “ensuring that the school is not required to accept a teacher without the mutual consent of the teacher and principal, regardless of the teacher’s seniority” (p.8). Each year data is analyzed regarding teacher effectiveness and utilized to make decisions about “who will be retained at the end of the year and who will be transferred” (LEA, 2010, p.8).

Regarding the rehiring process, many interviewees commented on the stressful nature of the process and the fact that many “good” teachers decided not to remain at

Westvale and, instead, chose to be transferred to other schools in the district. Davis, a teacher who chose to stay at Westvale, claimed:

Everybody had to re-interview for their job with members of the redesign team.

We all interviewed--everybody in the building--and some people chose not to interview because they knew that they were going to leave. We had to sign a paper. I want to say it was like right before or right after Christmas--everybody got this sheet and you basically said "yes I want to stay here and I will re-interview for my job or no I don't want to stay here, please place me in another building for next school year." So, if you decided not to stay you signed off and said, "I'm not staying" and they didn't interview [you] and you were leaving.

And, if you did want to stay, you had to go through the interview process, and that team made the decisions about who--and [the new principal] was involved of course in making the decision about who was going to stay.

Beyond just having to re-interview, the teachers were subject to ongoing scrutiny over their performance. In the requirements of the transformation plan, the school had to use "teacher evaluations that are based on a significant percentage of student growth in achievement" (LEA, 2010, p.3). Another specific requirement for Westvale involved creating a "dashboard," where school and individual teacher accountability information was stored, including scores for weekly writing assignments. Also, ongoing administrative walk-throughs were required and each teacher had to work with the administration to create goals that were aligned with the redesign plan. If goals were not met, the plan indicated "that a review of teacher performance may lead to the progressive contractual process including, but not limited to, the development of an Assistance Plan,

Corrective Action Plan, or result in a transfer, or dismissal in extreme cases” (LEA, 2010, p.4). Beyond the threat of negative sanctions, teachers who excelled were able to receive increase in compensation for more work, such as extended school day and after school or extracurricular activities. Also written into the plan were positive incentives for high performers including, “certificates, attendance at professional conferences, shirts, parking spots, other incentives and celebrations” (p.4-5) and the Principal received a \$5,000 stipend each year.

As part of the requirement to use a measure of student growth, the new teacher and leader evaluations used during the 2011-2012 school year were mandated in PLA schools before any other schools were required to use the system. Slater, a school-level administrator charged with implementing the evaluations, stated that, “Right now, if you are not a PLA, you get to do the evaluation under the old system... We have to use the product and you use at least one evaluation--one evaluation could be the old way. But now we have to do one the new way.” In fact, I learned after this interview that Westvale would have to implement two evaluations per teacher “the new way” before the end of the 2011-2012 school year.

Other major changes that were put into place during the transformation process included extending the school day an hour longer. As written into the LEA (2010) plan, teachers were paid for the extended work-day and students were provided an extra hour of instructional time. The extended school day, however, was in limbo during the month of February, 2012 as indicated by the following conversation with school-level administrator Slater:

We had an extended day, where teachers worked until 3:30, that was taken away from us--because of the PLA funds being held up... That just happened, probably a month ago. Now the superintendent did send out an e-mail that we have been reinstated, so to speak, because of the new teacher evaluation system. But, as of right now, the teachers went from the kids are still in school the same amount of time, but that teachers don't have that half hour PD [professional development] block that they can use to then work with their team and, now we might get that back you know.

Thus, because of funding difficulties tied to the teacher evaluation and negotiations between the district and the teacher's union, the transformation plan was not consistently implemented.

Another major component of the transformation plan was the rolling out of an entirely new instructional program. The program that was implemented at Westvale is called Expeditionary Learning (EL), a “non-profit chartered entity of Outward Bound.”

The website (Expeditionary Learning, 2012) described EL's approach as:

- developing leadership capacity across the school to build a shared vision for school transformation and a professional culture rooted in quality, continuous improvement, and trust;
- building teacher effectiveness through on-site coaching as well as regional and national professional development;
- organizing learning around an experiential project-based approach in which students do original research and create high-quality products for audiences beyond the classroom;

- developing critical thinking and problem-solving skills as essential elements of the deep learning that prepares students for success in college and beyond;
- creating a school culture based on strong adult-student relationships and positive character, with rigorous expectations for behavior and achievement;
- empowering school leaders, teachers, and students in collecting and analyzing data from multiple sources to improve student achievement; and,
- balancing an academically rigorous, and well-defined approach with teacher creativity and judgment.

Throughout interviews, teachers spent a lot of time discussing the Expeditionary Learning process and how it had impacted their approach to learning and teaching at Westvale. Expeditionary Learning is discussed in greater detail throughout the remaining chapters.

Also written into the LEA (2010) plan was the implementation of Response to Intervention (RTI) and Positive Behavior Interventions and Supports (PBIS). RTI and PBIS rely on the application of “evidence based practices” for all students, and student progress is documented. As students fail to meet standard expectations academically (RTI) or behaviorally (PBIS) they move through tiers and are given intensified interventions. RTI will be discussed more thoroughly in chapter five.

Westvale had five instructional coaches to help implement standards-based instruction and RTI. As a note, other schools in the district had only one coach on average, and each would have two coaches during the 2012-2013 school year (one literacy and one math) to help roll out the Common Core standards. A variety of instructional programs were identified in the plan as interventions for students in higher

level tiers under RTI, including Wilson Reading, Fast Forward, Read Naturally, and Origo Math. In regard to students with disabilities and Limited English Proficient students, the transformation plan noted that the RTI and PBIS process would provide, “additional supports and professional development to teachers and principals in order to implement effective strategies to support students with disabilities in the least restrictive environment and to ensure that limited English proficient students acquire language skills to master academic content” (LEA, 2010, p.13).

Other aspects of the transformation plan included mandating Professional Development in the following areas: “Sheltered Instruction Observation Protocol (SIOP); Collaborative Coaching and Learning (CCL); PBIS, the 4-Tier Framework (RTI); Formative Assessment (FA); Expeditionary Learning (EL); 6+1 Traits of Writing; Courageous Conversations About Race; and, Frameworks of Poverty” (LEA, 2010, p.2). Teachers all received netbooks in order to keep track of classroom data and each classroom was equipped with a Smart Board, a document camera, and a clicker. The school was also charged with developing a Parent Teacher Association in order to integrate parents into the process of the school. The school would also have to collaborate with a variety of other community organizations, including a health clinic, a parent literacy center, and an after school program. The school also had to compile a set of highly qualified substitute teachers that would be available for the school.

After completing interviews, I realized that I was not entirely clear what had remained in place from the redesign plan, because during the second year into the redesign plan Slater, a school-level administrator at Westvale, recounted the following:

So, what happened was they really came up with a solid three year plan of what they would do, but the problem is that much of that contract so to speak, has changed and so, because it's changed, it's difficult to continue with, you know, if somebody says, "You're going to get this, this, this, and this." And, they say, "This is what your goal is and this is what you must achieve." That's one thing. But many, many things have been taken away from us, but the goal is still what it is. For example, on our first year of the redesign, we had five TA subs. And what that means is that, it used to be in our district, we had one building sub for every building. But, for us, we were able to have five, which means we have consistent subs every day. And, that was really part of the mission, that when teachers weren't in classrooms, that they were going to be able to--it's the same faces over and over. So, you don't lose all of that time on instruction, because it's the same faces. We lost every one of those this year because of money, because of cuts. Because there are still the rules, you know, so that's a big piece.

Thus, even though state mandated plans were created and implemented, the availability of funding at the district level dictated whether plans were followed through or not.

The transformation process greatly affected the students, families, teachers, and administrators at Westvale Elementary School. When a school becomes labeled a "failing" school, the ramifications of standards-based reforms are exacerbated exponentially. This also affects the culture and morale of those who work in the school, which will be discussed next.

Stigma and School Culture

It is important to recognize the dedication that teachers and administrators who participated in interviews have to Westvale. Throughout the interviews, teachers described the challenges that came with having to go through the transformation process and the negative stigma associated with being deemed a failing school. At the same time interview participants described in-depth the wonderful community that existed at Westvale and the commitments they had to their colleague's, students, and the community of Westvale.

Interview participants, in particular, discussed the threat of losing their job as one of the most challenging aspects of having to go through the transformation process. The administrators, who were asked to leave Westvale, because of the failing status of the school, also mentioned the low morale that occurred after Westvale had been labeled a PLA school. School-level administrator Brantler, who was present for the redesign process, claimed that "morale was definitely at an all-time low--people just stopped, they just gave up." Allan also described the pain she continues to associate with the process of leading a PLA school:

It was probably, no I know it was, the most stressful time in my career--and I hope it stays the most stressful time in my career. It was a lot of handholding for the staff and then at the next, you know, pushing them because they had given up... I keep saying it was demoralizing and disheartening to work my tail off for six years, and I did feel validated when I got good scores on the JIT [Joint Intervention Team] review, because, you know, you start to really doubt. You know, it was an emotional time; I still get upset. I'm still damaged. But, so I

worked my tail off for six years, had files and files of things I had asked the district to do that were free. Let's change the attendance pattern. Let's move kids. Then, I have to be removed and the new person comes in then gets all the resources known to man to do the job that I had to do.

It is clear that the process of having to lead a school during the time it was labeled PLA, and then be forced to leave the school was very demoralizing for Allan.

Beyond the difficulties experienced by leadership, teachers also described the distress they felt after they learned Westvale was labeled a failing school. For instance, Davis, who was a teacher at Westvale for many years, claimed that “When we were going through it, it’s sort of, initially, it felt like a big, “You suck and we’re going to make sure that everybody knows how bad you suck” kind of a feeling, like, “Oh jeez!” Later, Davis explained that,

It kind of just felt like everyone, people gave up. You know they sort of felt defeated, like really, “Because I’ve been busting my butt and now you’re telling me that I’m a lousy teacher because of what the scores are?” And, there was a lot of time a scrambling to trying to make things look better before the end... I think there was no consoling anybody. It was sort of like, “You can’t make me feel better about this... no matter how nice you are and how much I like you, it’s just, you can’t cheerlead us through this. It’s not going to make us feel better.”

Because people knew that they were under the gun and people were afraid that the wrong impression of them could somehow be given and judgment could be made that they weren’t worthy to stay. I think the teachers that worked there wanted to stay there. You know what I mean? Like obviously, there is a reason that people

stayed, because you could leave at any time—because, you know, “Put me on the transfer list.” And [the Principal] made that very clear in the years leading up, I mean, the writing was on the wall. It was like a runaway train.

Although Davis explained here how defeating and difficult the process was for both teachers and administrators, there was still something about Westvale that made teachers want to remain in the school, even though they had the option of transferring.

According to Clark, a speech pathologist at Westvale, teachers stayed because they are extremely committed to the success of the students, regardless of how the standards-based reforms influenced them personally or professionally.

I think [Westvale’s] staff is incredible--with just huge hearts. [They] are trying to do everything and anything they can for these kids. Where[as] a lot of them should [have] transferred last year so they could get different kids, since their evaluations are going to be based on these kids performance. Because even the regular ed. teachers--their kids are low. We are the lowest school in the entire state. So, when they didn't, nobody wants to move, and we want to help these kids. They are saying, “screw you” to the state, “I’ll let you do what you want, evaluate me, do you what you want. I will still be here next year.” So I love that. Thus, according to Clark, the act of staying, working hard, and teaching at Westvale was in itself an act resistance against the pressures of standards-based reform.

Even though many teachers did end up staying at Westvale, Curry, an instructional coach at Westvale, described how some teachers were unexpectedly asked to leave.

Well you felt that [impact of being labeled PLA]. Because they got rid of our

administrators so, that was you know, and there were a handful of people that were asked to leave. You know, your heart broke for them because no one ever told them they weren't doing the right job. One guy who was a teaching assistant said, "I'm being shocked that I'm being asked to leave." None of us were shocked, but no one ever said, "Hey, you're not doing a good job." So that part was tough... So, I don't really have a positive opinion of the whole PLA process and I didn't get kicked out, so I can only imagine somebody who did, who was then interviewed, and then told, "Okay, we've decided you can't stay."

Obviously, the process of being labeled PLA was difficult both on administration and teachers. Teachers were uneasy, because they were not sure they were going to be able to keep their jobs and some were asked to leave.

Another aspect of going through the PLA process that teachers described had to do with the stigma associated with being labeled a failing school. For instance Brantler, an administrator at Westvale during the transformation process, explained:

At first your life it's the stigma. It's like the ugly stepsister. [Westvale], Oh [Westvale]. Which, I think, [Westvale's] always had that issue, but now so many schools are becoming PLA schools. We only have three schools in good standing in the whole district. So, I think everybody's finding out what it's like to pay that price as administrators. There could be more support.

As Brantler noted, Westvale received the stigma associated with being cast as a failing school early on, but as more schools in the district started to fail, more teachers and administrators across the district learned how it felt and the PLA stigma may have lessened as a result. However, beyond just becoming PLA, several participants admitted

that Westvale had a stigma long before it was labeled a failing school. For instance Curry, a long time teacher and current instructional coach at Westvale, stated:

[Curry] But the stigma with being a PLA school, it's not so much as a stigma as working at [Westvale]. When it came open for people to apply to come here, there weren't a lot of candidates from other schools saying, "Oh yeah, I want to go work there." When you talked to people in the community and you say you work at [Westvale] they're like, "God bless you." And I'm like, "Seriously, it's a great place."

[Jessica:] Why do you think people feel that way?

[Curry]: Probably the location. You know, in the past there's been bad press of things that have happened, you know, here. Probably, mostly, because it's like [nearby] High School. People say, "Oh, you work at [the nearby high school]?" So, I'm thinking that it's probably neighborhood and location. And then... there's a shooting, a stabbing, something every night of the week. But, I just love it here and everyone that comes from other schools that come here, they don't want to leave. I don't know, there's-- it is a home. I know that's corny, but it is. I've been here 19 years.

As Curry explained, those outside of Westvale perceived it is an undesirable place to work because of the neighborhood and crime that took place in the surrounding neighborhood. But, as Curry noted, public perception is often quite different than an insider perspective. Clark, a speech pathologist at Westvale, similarly commented that, "the stigmatism is almost worse. People are like, "Oh, you teach at that school." But, look at the neighborhood, these kids are battling more than just ABC's." Also, Clark, had

transferred several times within the district, but did not want to leave Westvale. At the same time, she continued to associate the neighborhood, rather than its status as a PLA school, as the cause of Westvale's stigma.

Johnson, a special education teacher at Westvale, further discussed how the students themselves had begun to feel the brunt of the negative stigma associated with attending Westvale. In a discussion with a student about why she should wear the school uniform, the following issue arose:

We require the kids to wear uniforms. So I was speaking to her [a student] about it and she was telling me "I don't want to wear one of those." I said "okay why is that?" And she said "that's a dumb school. Everybody knows that's where the dumb kids go because it's in the newspaper all the time." Any press we've had before the last two years has always been bad.

Thus, the construction of the "bad neighborhood" and the "failing school," strongly influenced the community's perception of Westvale and it even influenced the way that students viewed their own school. Likewise, the media played a role in constructing Westvale in certain ways.

Regardless of the stress associated with going through the PLA process and the stigma associated with working at Westvale, teachers described a vibrant community and expressed a strong commitment to working at Westvale. When discussing the PLA process, special education teacher Johnson said:

Well you know the school culture, like what I was saying, is really changed. It's more positive now. You would think that [because] everybody comes in and people had to leave, and things got shuffled around, it would be kind of like a

gloomy situation... Which it was at first, because people were always working hard here. You know, it's always been a school where the people that worked here cared about the kids, they tried their best, but we never really got the results we needed and it was disappointing. It was sad for everybody, because it was like you know, you put in your heart. You know, you put your extra time and effort in after school and it just wasn't paying off, because of the, like I said before, they were looking for, you know, a certain score on a test, but we were looking at, "Well, this kid was able to do this in September and now he's only out here." It's better now in the sense that we all are on the same page; every single kid is being taught the code from kindergarten. You have to try your best. We never give up. Your behavior, you're accountable for everything that you do, and then they're all doing the same kind of workload.

Johnson affirmed that teachers at Westvale had always been committed to the success of the students in the school. However, the hard work and dedication of teachers was not adequately reflected in the test scores. Yet, Johnson perceived that the school staff were back on board, and were truly committed to the success of the students. So, in contrast to those who saw the process as quite degrading and damaging to the morale of the school, Johnson suggested that the transformation process had actually improved the culture of the school. Like Johnson, veteran teacher at Westvale, Davis, also pointed to the strong community and dedication of staff at Westvale:

There was one thing about [Westvale] is that you did feel like everybody was really like a family, you know what I mean? There was a lot of-- it was a close knit staff. If somebody was going through something, you know, everybody was

supportive of that person, you know. Nobody had a baby in that building without getting a shower. You can't get married without a party. You know, birthdays were recognized. You know, stuff like that. And, there was definitely groups of friends, but there's also professional relationships... So, yes, I always felt there was a sense of community there. I always kind of felt like the teachers really cared about kids there. You know, despite any academic shortfalls of the building, the teachers are caring about the students and sometimes maybe that's the problem... We care so much about them that we don't want to upset our students. We don't want to make them feel bad. You know we almost become too motherly. And I was totally guilty of that, of sort of lowering my expectations [so] as to not upset or kind of keep that balance in your room.

The teachers at Westvale were extremely dedicated to their jobs. Regardless of the public perception and the challenges they were presented with, the teachers stuck together and created a strong community. Davis also explained that teachers had so much dedication to the students that, at times, it might even hinder the growth and the learning of students, particularly if care and concern led to lowered expectations of students.

The process that Westvale went through, which resulted in a Persistently Low Achieving label, was a very rapid one. Once labeled, the school was subjected to a series of sanction and reward policies. They also were charged with implementing intensified standards-based reform practices. Teachers reported having mixed feelings about the effects of the process. On the whole, however, it was viewed as a challenging process that impacted the culture, morale, and stigma of the school. Regardless of this, educators and administrators who worked or who had worked at Westvale believed in the strong

community of Westvale, and were extremely committed to the schools success. In the next section of this chapter, I focus on ways that the inclusion of students with disabilities was affected by the transformation process.

From Inclusion to Segregation

During the transformation process, Westvale went from being a school that would be considered by most standards as fully inclusive, to a school that operated a variety of segregated, tracked, and pull-out type programs. Here, I provide an in-depth explanation of this progression.

To provide context, I first explain the situation of inclusive education at Springertown School District. Under IDEIA accountability, Springertown School District met the standard for Least Restrictive Environment. The district report card at the time of this study indicated that approximately 75% of its students were included in regular education classrooms for more than 80% of the day. Approximately 11% of students were included between 40-79% of the day. Nearly 12% of students were included for less than 40% of the day, and the district sent roughly two percent of its students to placements outside of the district (NYSED, 2010- 2011). These statistics show that many students who attended Springertown School District were accessing regular education environments at least part of the day.

With this said, Springertown had some elementary schools, which were fully inclusive or which operated inclusive programs, and others that maintained a variety of self-contained classrooms or programs. It was reported by several participants that often IEP decisions were made based largely on the availability of a program within a

particular school. Often, students were shifted around the district as slots in classrooms become vacant. Slater, an administrator, explained what happened at Westvale when a self-contained classroom had an opening.

What happens to self-contained rooms, which is why [inclusion] is a good thing, is that kids with the behaviors--it's not even about the learning disabilities. So, now I've got 10 kids in that little room and they are 10 of the toughest kids in the district. And then we have openings and so they send them to us. You know what I mean? And that's how it works. It doesn't say that, "Oh, this would be the best placement for this kid." No, [it's that] they have an opening at [Westvale].

When school districts like Springertown make choices based on programmatic availability and not necessarily based on a students' IEP, it is not adhering to the spirit of the LRE. Moreover, when this happens, a child's chance to experience a truly inclusive placement suffers.

While I was observing a Special Education Parent-Teachers Association meeting, one parent explained how pleased she was with the elementary school that her child attended. She said that her son, who has autism, attended this school because of its reputation for being inclusive, but she admits that "not every kid can go to [Pine Elementary School]." She was obviously pleased with her own son's inclusive education, but she mentioned that it was,

as if it is an anomaly. We should really be talking about IDEA, FAPE, and LRE at every school, not just [Pine Elementary school]. What should be happening is that every student should be able to attend their home school and be included, not just some students.

So with this backdrop, it is clear that a student's chance of being included largely depends on what school the child attends and what "program" is made available to that child. It also may depend on how much a parent advocates for his or her child. Yet, parents cannot take these things for granted because changes of service delivery options within schools can be based on either administrations discretion or imposed by the district.

Westvale has altered its service delivery arrangements for both ELL students and special education students many times over the years. Veteran teachers and administrators recounted these changes. Baron, an art teacher, explained that "every year they change it, it seems, like we went from special education classes being separate, to then they switched it to inclusion... So like year to year, it seemed a little different." Allan, a school-level administrator, also highlighted the constant changes in service delivery for students with disabilities.

[Westvale] had every crazy program under the sun. We had a 6:1:1⁶ for five - seven year olds, which was a satellite from [the local psychiatric hospital]. We had a 12:1:1 for 8 to 10-year-olds. When I first got there, the 11 to 13-year-old program was a 15:1. So there was no strand that continued through the building; so you are constantly getting new kids and going in and out. So, then we got 15:1 disbanded and made it a 12:1:1. And our goal was to take our 6:1:1 and get them into a less restrictive 12:1:1 and get the continuum. Then we had, when I first got

⁶ The terms 6:1:1, 12:1:1, and 15:1:1 refer to student: teacher: teaching assistant/ paraprofessional ratios. For instance, a 6:1:1 classroom would include six students, one teacher, and one assistant.

there, this crazy inclusion program that they decided to do on their own--it was bilingual. And the teachers had--they were split between like a K-1 or a 2-3, which would be fine, but there had been no structure, and no PD [Professional Development]. They just plopped the kids in there and the teachers in there and what you got was—[trails off]. It would be fine if it was just... several types of disabilities like in a wheelchair, non-verbal. They needed to be included, but what they were doing was taking LD [Learning Disabled] language kids and putting them in these bi-lingual inclusion programs, and they had a disability in their native language and we were trying to get them to learn English.

According to both Baron and Allan, service delivery was constantly changing at Westvale, which impacted the placements of ELL and special education students.

Curry, a long time teacher and current instructional coach, explained the major changes that occurred for ELL service delivery: “We had this initiative, we call it LEAP [Language Enrichment for Academic Progress], where all the ESL, ELL students were in one room. Not anymore; they’re inter-dispersed and it’s either push-in or pull-out for services.” Special education teacher, Johnson elaborated on these changes.

We used to have it; the classes [for] each grade were set up [so that] the general ed. room of the grade level, the LEAP room, which was for the advanced kids mixed in with some general ed., you know, some non-ESL kids, and then the bilingual inclusion room, where the special ed. kids that were bilingual or just special ed. were in there if part of the instruction was in English, part of it was in Spanish. But we don’t have that anymore.

Kroger, who held an administrative role at Westvale during this time, explained the problems that he saw with some of the models that Westvale had previously used for ELL students.

They had a bilingual program at [Westvale] when I was there, but it was bilingual special education. So the students that didn't speak English were put into a special education class with kids that were Spanish speaking. So, there wasn't a regular ed. student in it... It was an inappropriate placement because really there weren't any regular ed. students. So they disbanded it...[and] if a kid was designated [as] needing special services and need[ing] inclusion at the time, it was called inclusion. They were put in that class. So there was a special ed. teacher in there that was bilingual and serviced the kids just like in inclusion class, but the kids [that] were Spanish speaking were also in there with the regular ed. kids. But when you looked at it there's no regular ed. kids because they all have deficiencies. They couldn't speak English necessarily.

The school used language of "inclusion" to create classrooms filled with all students who did not speak English, or who were special education students.

These classes were eventually eliminated, and then, because of Allan's leadership, the school went to a fully inclusive model. Davis, who taught at Westvale for many years, discussed the evolution of service delivery over the years.

Well, my personal experience at [Westvale] is mostly in fourth grade and I saw a lot of changes happen mostly around the ESL regulations. Part of what went into place was that they--it used to be, you know, pull the ESL kids out, take them out of the room for an hour and a half, and bring them back. And then it became sort

of keep them all in one class together and that way the teacher--you're not disrupting three classes--you can pull and return students to the same space. And then it became like a co-teaching model where--and I was the teacher on the team that had all of the English language learners in my homeroom class--so then I would have a ESL teacher who spent most, if not all, of their day with me in a room and we kind of embedded those strategies. Or we would split the class and she would teach half the class and I would teach half the class and then we would flip-flop them and she would re-teach her lesson and I would re-teach mine. So there was a lot around that. The special ed. model was, it seemed, like it changed every year. You know, you'd go from self-contained rooms and resource pull-out to, you know, sort of inclusion in some grade levels with, you know. You would still have some of that bilingual resource. You know, it felt like they already took a stab at the consultant model one other time, went back to inclusion, no self-contained rooms really: "Okay, so now we're going to put them back."

The inclusive model that Davis described was the model in place the year that Westvale was deemed failing. The model had been in place approximately six months before the employees were informed that Westvale was labeled a failing schooling, that the administrators would have to leave, and, that the teachers would have to re-interview for their positions.

Allan, who led the way in implementing the inclusive model, explained the move toward inclusion programming.

[Allan]: It had been a very segregated thing. It had been your bilingual class, which had your inclusion kids. And you had an English speaking class at each

grade level. And you had two classes that had ESL kids. So we called [it] the mix it up, and we just said, "Let's place kids with the teacher that we think they will do the best with. We put two special education teachers and a TA on every single team. And they did push-in and pull-out services. We disbanded our self-contained classes. I know people thought I was crazy.

Jessica: How did it go?

[Allan]: I think it was the best year. I always say, had we been given two more years, we could've turned it around... Our self-contained kids outperformed a lot of our regular ed. kids. But they were also kids who were ED [Emotionally Disturbed] and not too far from level anyways, but it was, I thought, it was great. And you had a better understanding of kids and you had--we had some problems with kids from Puerto Rico with gangs and wanting to fight the African-American kids or the white kids--and it just went away, because they were all together. And, you had more support for the kids who weren't labeled and what we did find that [at] Westvale, you know, you're always taking kids through committee--a kid who had like 75 IQ, but it didn't go anywhere, because they were performing like a kid with a 75 IQ would. So that provided support for those kids in the classroom.

J: Are they still doing that model?

[Allan]: No, no, no. Our bags weren't packed and they were right back in self-contained. I think the teachers, the self-contained teachers, loved it. I think the resource teachers loved it.

Allan suggested that the inclusive model was beginning to really make a difference in the school overall, and that some students with disabilities were beginning to improve.

Interestingly, Allan referred to the students labeled ED as being “not too far from grade level,” yet, now that many of these same students are in self-contained classes, they were often referred to as the students with the lowest ability levels in the school.

The inclusive model had a very short shelf life at Westvale and when the new administration began, they decided that the inclusive model was not the best service-delivery choice for Westvale. The rationale for these changes was explained by veteran teacher and current instructional coach, Curry: “[The current principal] wasn’t a fan of that model, so now we’re back to-- we have some self-contained, some inclusion, and then resource, which is a combination of push-in and pull-out. So, that’s the model now.” According to Curry, the inclusive model was abandoned because the current leadership did not believe it was the best way to education students with disabilities.

Slater, a current administrator at Westvale, explained some of the reasoning behind not maintaining the inclusive model that had previously been used:

When I got here, I changed it [the service delivery model]. It's not that I'm not a fan [of inclusive education] and... I get why you would want to do it. And, I believe in inclusion as strongly as the next person, but like with everything--the whole premise of an IEP is that a child is getting their specific needs met. So when we go to the [fully inclusive] model we lose some of that... So what happened was, you know [another administrator] had a lot of respect for me in that way and I appreciate it and she said [Slater], you do it whatever way that works best for you, and I'll trust that its right and that was kind of was the end of it. So, again though, I feel like we really do respect the [full inclusion] theory in the sense of our inclusion rooms, every one of them, k through five are truly

inclusive. They are, there is truly a team teaching so as far as I'm concerned, those kids are included just like anybody. The only place where we fall down a bit if that's what you want to call it, is with our two self contains. Now my 6:1:1, they mainstream a lot. So I'm not concerned there. But my eight to ten year olds, and seven to whatever, those two self-contained classrooms, they probably don't mainstream as much as I would like.

Several assumptions are being made in Slater's rationalization for the need to move away from a model of full inclusion. First, Slater expressed students do not get all of the skills or supports they need to be successful if they are spending their day in the inclusive environment. Here, Slater is conflating level of support with location—suggesting that intensive supports can only be provided in particular locations. She also stated that students who were either behind in grade-level or who had behavior problems were more likely to learn the skills they needed if they were in a more restrictive environment. Her statement also shows a bit of slippage between mainstreaming and inclusion—believing that if self-contained classrooms mainstream their students, then they are, in effect, inclusive enough that she didn't need to be concerned about them. Finally, Slater suggests that inclusion is really just a “theory” that you can be supportive of despite practices that are not inclusive.

Skinner, a district-level administrator, also described Westvale's evolution from an inclusive school to a more segregated one.

You know [Westvale] tried to do some things--they moved it around, moved it up, that model, I think it was two years ago. And, it basically was full inclusive and they did it, but they did it with very little support from outside... So, they did it.

They put a lot of work into it. They got as much support as I could give them from here, which was [an] extension of service monies if you need a consultant to come in. I mean I could try to piece together but it's different than having somebody that is committed over two years to work with you and that's their way of, you know, that's what they do, kind of thing. And, they tried it and I just think it got, it didn't work real well for them. So, I knew when [the current principal] came [in], they went back more toward the self-contained piece, because the kids were getting over-stimmed. But, my guess is that the kids are getting out as much as we can get them out where they can be successful.

Thus, Skinner too suggested that Westvale's choice to move from an inclusive model to a self-contained model was a rationale one. As a district-level administrator whose expertise is special education, it does not appear that Skinner pushed for the school to spend more time or effort developing the inclusive model. Instead he justified the school-level administrations choices by saying that some students were getting over-stimulated in regular education, and thus needed more restrictive environments. Both Slater and Skinners rationalizations of special education are emblematic of the dominant (medical model) special education discourse.

During interviews, educators from Westvale often shared contradictory explanations about inclusive education. Many cited the benefits of the inclusive model, while simultaneously justifying the segregation of students with disabilities. Special education teacher Johnson, for instance, offered an explanation of how inclusive education benefits students:

When I went back to inclusion, I partnered up with [a] fourth grade

teacher and we developed in two years like good working relationship and we split duties... We got along well and the kids kind of got a lot out of that because they could see us working together and they always had somebody to help them out. I enjoyed that.

Veteran teacher and current instructional coach, Curry also shared that the inclusive model was a promising way to educate students.

I loved when the kids were just mixed up in the class and nobody really knew--and for some kids, no, I would say for more than half of those kids, it was fabulous. And the reason why I know that is because the following year, when we went back to self-contained and I saw the level of behaviors escalate when they were in the self-contained classroom it was like, "Holy crap," like, "these kids do not act that way;" they thrive in the regular ed. classroom setting.

Brantler, a special education teacher, also commented on the improved behavior of students when she said that the "discipline problems went way down for the self-contained. The kids really loved it."

Yet, participants also explained why they believed that choices their administration made to move away from the inclusive model were justified. The major reasons that participants cited for why the inclusive model wasn't working were because co-teaching teams didn't work well together. Special education teachers, in particular, were described as not being able to provide enough support (because they were split between several classrooms), and because some children couldn't adequately get their

needs met. In many regards, regular education teachers were not taking responsibility for educating students with disabilities in their regular education classes.

In terms of adults working together, special education teacher, Johnson explained that, “people were kind of thrown together to co-teach and there were certain kids that just didn’t gel.” Also, educator Davis explained that there were some issues with adults working together. For instance:

In most cases it seems like a good thing. I think with inclusion you always, no matter what school you’re in or who the kids are, you run into issues with adults. You know, is everybody working? When you have three adults in the room, who is making the decisions, you know? And when it should be all three? Sometimes it’s one person saying this is what we’re going to do. So, I think the dynamics of the classroom are important. You know, all three people need to be working [collaboratively] and understand[ing] exactly what we’re doing. Planning should happen all together.

Although some participants suggested that it was the adults that didn’t always have a good working relationship with one another, other participants claimed that students weren’t able to get their needs met in the inclusive classrooms. Special education teacher Johnson explained that for some students,

it was just too much for them, because some of them just need a place they can go where there’s not as many people--where they don’t feel that pressure--[where] they don’t feel like everybody in there is smarter than them, and [where] everybody in there can do everything they can’t do. So, for some kids I just don’t think it worked.

Also, Curry explained that for one child, in particular, the model didn't work because, the kid would crawl on the floor and it was just so not appropriate for him to be in there. And now he's in a self-contained classroom with a very strong teacher and he's thriving. Like, I can't imagine him anywhere else. He loves the fact that he's actually learning how to read and that he has the structure.

Songer, a special education teacher, also indicated how for some students, she did not find that the inclusive model worked well. She said that regular education teachers, "got these kids, some of them very aggressive, and there were parts of the day when there was nobody in there to help them at all. It was just them and these kids who got put into their rooms."

Clearly educators were not entirely pleased with the inclusive model. However, there are possible explanations for why the model was not entirely successful at Westvale. First, the inclusive model was implemented for less than a year, and this was a year during which the school was deemed failing. Also, the model was not implemented as recommended by professionals on inclusive school reform (Causton-Theoharis, Theoharis, Bull, Cosier, & Dempf-Aldrich, 2010); the professional development and outside, as well as within district administrative support that should come along with whole school inclusive reform was not available to the staff at Westvale.

Regardless of these issues, the perception that certain students could not benefit because of extreme behavior or poor learning remained an important justification for exclusion. The reforms exacerbated this justification because of the increased pressure on teachers to get all students to achieve at grade-level. Overall, it was clear that participants had mixed feelings about the benefits of the inclusive practices that they experienced

during their time at Westvale. However, many also continued to raise concerns about the segregated model that was currently operating in the school.

The current choices for service-delivery are in many cases based on student ability, grade level reading ability, and disability label. At the time of the study, there were three self-contained classrooms for various age groups, including classes for students from ages five through seven, eight through 10, and 10 through 12 years. There was also an “inclusion” classroom for every grade level and a resource room for the school.

Curry explained that the students who were in the self-contained classrooms were “mostly ED [emotionally disturbed] kids.” When Johnson, who was a self-contained classroom teacher, explained the make-up of his classroom, he clarified that he had “all boys--nine boys. There are some emotionally disturbed, some are Other Health Impaired, and those are pretty much the two biggest labels.”

He later recounted that he, wasn't thrilled about coming into this situation. Usually you try to go [away] from self-contained. Many people try to get out of it and go into the inclusion room, because the personalities in here, you know, they're tough. It's all boys and they're dealing with a lot of anger issues, a lot of just, they don't know how to cope. Things change, things come up and it's just a lot of tempers flaring and arguing, bickering back and forth. You know, when we get down to work and stuff it's not so bad, because I have my teaching assistant and she's great. And, there's only a few of us in here, so we can actually get some things done. We get past all the other nonsense pretty much.

His explanation showed that there are difficulties associated with concentrating together a classroom of boys, who mostly have labels of Emotional Disturbance. As Panecek and Dunlap (2003) have suggested, rooms filled with students who mostly have Emotional Disturbance labels are often even more distracting than are inclusive environments. Despite this, Johnson was clearly a committed and dedicated teacher who wanted to make the most of his situation.

It was also clear that even the “inclusion” classrooms were overloaded with students with disabilities and other learning needs. The inclusion classes were co-taught and each had a full-time special education and a regular education teacher. Songer, a special education teacher in an inclusion classroom, shared the composition of her class:

[Songer]: You can have up to eight--Well, I think you can have up to ten. It's supposed to be eight...and the rest would be regular ed. students. This year we had eight on our list. We had nine on our list originally. One student moved away and two were no-shows, so they must be in other schools or other districts. So, right now, we have six kids who have special ed. labels. We also have, I think, about 12 kids who get speech.

Jessica: Okay. So what is the range of the labels in this classroom?

[Songer]: Mostly learning disabled. Most kids are learning disabled--learning disabled language. And we have a lot of that. And we have some kids, I think, one who is considered Other Health Impaired for ADHD [Attention Deficit Hyperactivity Disorder], but mostly the language, the LD [Learning Disabled], for the most part.

Jessica: And then do you have many students who are ELL in this class?

[Songer]: We have ESL [English as a Second Language], kids labeled ESL. We have several kids. I think we have eight maybe. Seven or eight kids who are labeled and get ESL services.

Later, Songer expressed some of the problems she saw with the student make-up of both the self-contained classes and the inclusion classes:

And, in terms of the self-contained classes, I don't know what the answer is. I'm not sure the answer is to put a bunch of kids who are all emotionally disturbed in one room, you know what I mean? I don't know. I think they are even too big. Some of our 12:1:1's are 14 kids all possibly ED. It doesn't make any sense, you know? Do I have an answer for that? I guess not, especially not here. Even with inclusion, you know, the model is supposed to be, if you have eight kids with needs you're supposed to have 17 role model kids. We don't have that here. We have another eight with needs. You know what I mean, big needs.

Several other teachers commented on the problems that occur as classes become "loaded up" with students who have disabilities and ELL needs. For instance Burns, a school-level administrator, claimed that,

One thing that I don't like is sometimes inclusion classes get a little bit loaded up. You know, a kid will come from another building, which this has happened here, with a lot of needs or really had to leave the district they were in: "Oh, let's put [him/her] in inclusion because the special ed. teacher's in there."

Even classrooms labeled as "inclusive" became filled with students who had high support needs. This created unnatural proportions, which is seen as a critical element of having a truly inclusive class. In the inclusive classrooms at the school, many students were

struggling and the benefits that come along with heterogeneous grouping were not available. The self-contained classrooms at Westvale were populated mostly with students with ED labels, whereas the inclusion classrooms mostly had students with LD labels. Student labels in many ways dictated the placement a child received at Westvale. Also, it seemed that there was some relationship to gender and language being overrepresented in the category of Emotional Disturbance, considering Johnson had mostly all students with ED labels in his classroom and they were all male and mostly ELL students. According to Clark, a speech pathologist, even the ability of students could be determined by their classroom placement. She explained that,

kids are in the self-contained classroom are the lowest... I mean most of the kids in self-contained classrooms are also behavioral ones. But not always, but they, all my self-contained kids are the lowest. Then it's ... my inclusion kids [that] would be the next step up, then the resource.

In other words, as Clark's descriptions of students illustrated, ability was reinscribed by the type of classroom that students were placed into.

Students with disability and ELL labels were constantly being moved around the school, based on the service delivery choice of the year. This process would not be supported legally because it went against both IEP and LRE requirements of the IDEIA. Furthermore, these choices were made in response to the ideology perpetuated by the standards-based reform movement. The next chapter investigates how standards-based reform promotes an ideology, which encourages administrators and educators to view student ability statically, and encourages labeling and segregation, such that occurs at Westvale.

Conclusion

This chapter highlighted the process that occurred at Westvale Elementary School as it rapidly went from being a school in good academic standing, to a school that was deemed Persistently Low Achieving. Once the school was given a failing label, it was required to go through a “transformation” process. This process profoundly affected the administration, teachers, and students in the school. The process also affected the ways that students with disabilities received services. And, in many cases, students that were previously included in regular education became segregated. The next chapter will describe in-depth the themes that emerged about how standards-based reform affected the inclusive education of students with disabilities at Westvale Elementary School and across Springertown School District.

Chapter 5

The Impact of Standards-Based Reform on Inclusive Education

The previous chapter explained the process that Westvale undertook to evolve from being a school that operated an inclusive education program to becoming a school that runs a variety of segregated, pull-out, and homogenously grouped instructional programs. This chapter describes themes from the data that relate to the inclusion of students with disabilities. The themes in the chapter describe the way: 1) that leadership plays an important role; 2) that pull-out instruction and ability grouping resulted in students being excluded instructionally from aspects of general education content; 3) that reforms resulted in resistance to the use of modified content; and, 4) that limited diploma and vocational options resulted in students with disabilities not only being excluded from school, but also from aspects of society.

My aim is not to contest the research that indicates standards-based reforms have caused students with disabilities to receive more access to general education content. Indeed, this study would support these findings, at least for some students. However, by looking more in-depth at the various processes that occurred at Westvale, I have found that even if students are receiving more access to regular education *content*, they are not necessarily receiving their instruction in inclusive environments and, instead, are often *more* likely to be physically excluded than before these reforms were instituted. Furthermore, schools and districts continue to spend the majority of time remediating deficits, even if the content itself is linked to grade-level content standards. Although barriers to inclusive reform have persisted for decades (similar issues were noted by

Biklen, 1985), this chapter highlights how standards-based reform impedes the continued progress towards true inclusion.

The Role of Leadership

Leadership is essential to the implementation of inclusive special education services. According to Dipaola and Walther-Thomas (2003), “administrators who clearly understand the needs of students with disabilities, IDEA, and the instructional challenges that educators who work with students with disabilities face are better prepared to provide appropriate support” (p. 9). As I will explain in chapter six, special education is too often left out of administrative decision-making processes. It is thus particularly important for administration to keep in mind the needs of students with disabilities when making choices for their school.

Many schools choose to implement inclusive education, but for this to be effectual, it is important to have committed and effective leadership who are dedicated to inclusive principals and social justice (Theoharis, 2010). Hehir and Katzman (2012) explain that policies are important to either promote inclusive education or, policies exist as obstacles that committed leaders must work around. Overall, the authors explain that the dedication to inclusion is crucial and policies don’t necessarily dictate whether schools will choose to become inclusive.

This study concurs with findings of Hehir and Katzman (2012) that leaders play a key role in the implementation of successful inclusive education strategies. The importance of having leadership embrace inclusive ideology was mentioned by several district-level administrators. District-level administrators of Springertown were generally

supportive of whole-school inclusive education reform at the elementary level. For instance Klosher, a district-level administrator, maintains that,

at some point you have to push the people and that's, that's the job. So I think those are, you know, the inclusive program we did was incredible, and that's really their [university researchers] work. But clearly the superintendent, if they're not behind it, it wouldn't work.

Administrators, such as Klosher, view promoting inclusive education philosophy as part of their role, but suggest also that inclusion must be supported from the superintendent on down.

School-wide leaders also need to adopt an inclusive philosophy in order for the implementation of inclusive education to be successful. According to state-level employee, Hoffman, the choice for a school to become inclusive typically depends upon “the background of the administrators and then district initiatives.” Sometimes, however, if parents and teachers are very committed to inclusion, they can influence the administration to begin seeing the importance of inclusive practices. According to Klosher, for instance, inclusive education reform occurred in some schools in the district,

where the principles weren't on board and they [University Researchers] basically convinced staff, which pushed [for inclusion]. You know, everybody thinks you got a have to have a perfect principle, [but that is] not always right. Sometimes you can just get the staff behind you.

In these schools, however, the leaders eventually had to take ownership over the reform in order to successfully implement an inclusive model.

At Westvale, service delivery for ELL and special education students often relied

heavily on the preferences of the leadership in the school. Allan, who had a background in special education, was a firm believer in the importance of inclusive education and was the leader behind the implementation of the inclusive model at Westvale. Allan was a special education teacher before she became an administrator, and she explained why she “truly believes” in inclusive education:

I think it's best for all kids. I don't believe that kids in, and this is no newsflash, but kids in self-contained programs or even in resource rooms have equal access to on level curriculum. I mean how many places have you been to where resource is used as a glorified study hall--kids do their homework. I think taking all of your staff and putting them out there in classroom...teaching with good technology. Look, I'd like to see every kid have an IEP, I mean every kid has learning needs, whether they have special ed. needs or not. That's my vision as principal. Also my daughter has an IEP, she gets speech in resource. She's in sixth grade and I'll tell you, on the parent side of the battle, she's not in this district, but one of the things we talked about when we went with the [inclusive] thing was--and I always believed too--if you're in resource you're always going to be...behind everybody else. Because, what are you missing? You're missing something...[especially] for a kid who struggles and is forced to make up that work on their own without having the instruction. So I think just bring the services to the child instead of bring[ing] the child [to the] services. And I think everybody benefits if you have an ESL teacher in the room, a special ed. teacher in the room; it's just good instruction.

Allan attended several professional development sessions about the benefits of whole-

school inclusive reform. She was a special education teacher and she had a child with a disability. These might all be factors influencing her beliefs in inclusion, but she certainly led the way in adopting school-wide inclusive reform at Westvale.

Yet, when the new administration came into Westvale during the transformation phase, special education was not discussed as part of the plan. The current principal did not have a background in special education and with the pressures of standards-based reform, she rationalized that inclusive practices were not in the best interest of the students. It is important to note that it is not necessarily the fault of the current administration that inclusive practices were not maintained and to acknowledge that the new administration was well-respected by interview participants. Of the principal, Curry, an instructional coach, indicated that,

We were thrilled. Even though I loved my old principal, we were thrilled to get this [new] principal. I mean because I have worked with her before and she's a dynamic leader. She speaks and everyone, you know, you can hear a pin drop.

You're just drawn to her. She's very charismatic.

Special education teacher, Songer, too, concurred that she was "Very motivating, very positive, very much a problem solver. She's on things; [do] you know what I mean? She's not sitting back and saying, 'Oh yeah, well that's good enough'." Thus, administrators cannot be fully blamed for not adopting inclusive reform. It is likely that societal prejudice about disability, a general dearth of understanding about the benefits of inclusive education, and pressures around standards-based reforms affect the service delivery choices of administrators. At the same time, the important role that administrators play in implementing inclusive education cannot be underestimated. As

Johnson, who was the only special education teacher on the redesign team explained, the team:

had written into the plan that we needed this many teachers so we got to keep everybody, but [the principal] wanted to go back to that model of having self-contained's and whatnot, so that's pretty much the only direction I got.

The current administration thus chose to place many students with disabilities in more restrictive placements, but, they left inclusive service delivery for ELL students largely intact; ELL students remained dispersed throughout the school (but continued to be pulled out for a variety of reasons).

Furthermore, when leadership doesn't provide clear vision for the school, teachers don't necessarily exhibit inclusionary attitudes. According to inclusive education teacher, Handley, "In terms of how to integrate children with special needs in the classroom, I think that has been mostly left for individual teachers to bring in what they philosophically think is right."

Even Slater, another administrator at Westvale had a background in special education, but this factor was not enough to keep momentum towards using inclusive practices. Johnson praised Slater's knowledge of special education.

Thank goodness we have [Slater] who was a special education teacher. Her heart is in special education. So that she's got her finger on the pulse--so that if something does come through, she brings it to us immediately. [She] keeps us up to date on everything and helps us get through it, so it's not so bad.

School-level administrator [Slater], influenced by the dominant discourse, adopted more traditional views of special education, which compromised her ability to embrace broader

understandings of the benefits of inclusive education (see Baglieri, Valle, Connor, & Gallagher, 2010). Because of the influence of traditional special education ideology, she believed that for at least some students, self-contained classes were necessary. This was particularly evident when Slater claimed that it was not that she, "doesn't believe in inclusion, it's just that at Westvale, too many kids won't get what they need if they are fully included."

Overall, a key element in implementing inclusive education at Westvale was that the school and district leadership believed in the benefits of the practice. A lesson from interview participants is that if the teachers in a school strongly believe in inclusive practices, they can also influence administration to adopt inclusive practices. Yet, it seems that school-level administration play a very important role in these choices. Professional development showing administrators about the benefits of inclusive education would certainly be beneficial. Administrators also need to understand how much influence they have over the learning opportunities afforded to students with disabilities.

Beyond just expecting school level administrators to become more supportive of inclusion, it is also important to understand that administrators may experience pressure because of standards-based reforms and this pressure can lead to a softening of support for inclusion. Because of the severe sanctions attached to standards-based reforms (and not necessarily on IDEIA accountability), it is likely that administrators of failing schools will find it is necessary to focus their attention on practices that they believe will most likely increase achievement on tests and improve Annual Yearly Progress (AYP) standings. Although inclusion has been linked to greater achievement gains (see chapter

two), standards-based reform policies often promote practices that run counter to inclusive education.

Pull-Out Instruction and Ability Grouping

One key way that standards-based reforms are affecting the inclusion of students with disabilities, and particularly students with disabilities who are also ELL, is through pull-out instruction and homogenous ability grouping. Pull-out instruction and ability grouping occurs for a variety of reasons at Westvale and across the Springertown School district. Some small group or individual instruction can be useful for students: 1) when it is linked to general education curriculum; 2) when it occurs in constantly changing flexible groups; and 3) when it happens in the context of the general education classroom (Broderick, Mehta, Parekh, & Reid, 2005). At Westvale, however, students with disabilities were constantly grouped according to ability and pulled from their home classroom, which resulted in many students missing a substantial part of each school day, further segregating them from their non-disabled peers.

When Westvale was following a more inclusive model, they eliminated most pull-out services, although on some occasions pull-out was still occurring. At the time of the study, however, Westvale was using pull-out instruction in a variety of capacities and students who were both ELL and those who were eligible for special education were pulled out repeatedly throughout the day for special education and ELL services. The reasons given for why students were pulled out and grouped by ability at Westvale was because they were receiving special education services, speech or language (or other related services), ELL services, or to meet Response to Intervention (RTI) criteria. Also,

as special education students often failed to meet AYP, administrators believed that increased time in pull-out instruction was necessary to improve their test scores. The large amount of time students were spending in ability groups or in pull-out situations meant that they were missing a great deal of academic content. Furthermore, because of tracking, these students were also spending a great deal of time remediating deficits rather than being exposed to grade-level content. Both of these factors would place them at risk for falling further and further behind their grade level peers, and ultimately place them at risk of dropping out of school all together once they reach high school (see Johnson & Thurlow, 2003).

Related services. One reason given for why students were pulled out of general education was so they could receive special education and related services, such as speech and language instruction. According to Clark, a speech and language pathologist at Westvale, many students at Westvale received speech and language services. Inclusive education literature notes that linking related service content to IEP goals and implementing related services into the regular classroom (often called a “push-in” model) can be effective for students with disabilities, because they can meet IEP goals and keep up with the regular education content simultaneously (See Giangreco, 2000 and Lawrence-Brown, 2004). However, this was not what was occurring at Westvale. Clark, who was a speech and language pathologist, elaborated upon why she prefers pull-out services, as opposed to a push-in model.

I am accountable for every session, whether what we were doing is related to their IEP [or not]. So it's not as easy when the teacher goes, “Oh, I didn't finish this, can you? Can you do with that with Johnny?” Sometimes, yeah, you can help

them do that, but I have to think, how am I going to build, not build, but how my going to lie on the documents that I'm signing? And, it's my license [on the line]-- that I'm saying that I did something that is speech and language related with that child. That's why expeditionary learning is hard, I think it's hard. I think with some teachers I have a really good relationship and I'm able to help them and try to teach some of the information, but other teachers just look at you like a teacher assistant. And then [they] just throw you work and think you can do [it] with like your small group instruction.

Additionally, according to Clark, there were not always ways to align speech goals with the expeditionary learning content that was being taught in the regular education classrooms.

Clark was someone who had experience working with both push-in and pull-out models. She justified why she believed that it “is difficult to implement push-in related services,” by saying:

That's the other thing, when I do a pull-out, there is no guidelines of where I have to go. There is no, I don't have a curriculum, you know? So if it takes me this long to teach WH questions, then so be it. When I was pushing in, we [would] have to move on. We [would] have to get to the next book. We [would] have to do this. I couldn't even modify enough to teach those kids, because for the next week, we are moving on. I didn't like that. It's, you know, your autistic kid, you know, your nonverbal autistic kid, you are sitting in the classroom next to them, [you] look at the teacher, how are you supposed to...[trails off]. And there, there were 12 autistic kids and we're pushing in. So, I'm not opposed to push in really, but I

think there is, I think some kids liked it, because they don't want to be pulled out. And some kids hated it, though. [They'd want to know,] "Why are you here?" So I think there is, I think, for some kids it might be beneficial to push in, but depending on your IEP goals. But then again, it's hard to, you can't just push in for one kid, you know? And then I did work with some great special ed. teachers and they knew what my goals were and they made it happen. And you know kindergarten and first grade is a lot easier to push in, because those teachers aren't feeling the pressure of ELA and making the tests. [There are also] a lot of, it overlaps, you know? Even if you are working on a ditto and they are trying to teach "A," I can still do definitions of all of the "A" words, you know? You know, what is an apple? What do we do with an apple? We eat it. You know, attributes, things like that. So I was able to do that, but in like fourth grade, give them a spelling test, how do you [work with that]?

Clark found that it was difficult for her to adequately perform what she saw as her required duties, while pushing services into the regular education class. Clark perceived the individualized nature of the IEP goals as in conflict with the more standardized general education curriculum and instruction. Using differentiated instruction would be an effective way to integrate IEP goals and related service goals into the general education curriculum, but this was viewed by Clark and others as something that was separate from the instruction necessary to keep up with the pace of the standardized curriculum. Also, collaboration between the speech and language teacher and the special education teacher would be necessary in order to successfully integrate the individualized goals with the standards-based content (Fisher, Frey, & Thousand, 2003). The nature of

education reliant on specific standards places ideological barriers such that instruction of general education and special education seems less fluid and the separate components of education, such as regular education and speech and language services, feel more compartmentalized.

Response to intervention. Another reason given for why students were both pulled out and ability grouped was because of Response to Intervention (RTI). RTI, which is cited in the IDEIA (2004), was originally “conceived as a method to ensure that students receive early intervention and assistance before falling too far behind their peers” (Fisher & Frey, 2010, P.16). RTI is offered as an alternative to the “waiting to fail” option set forth in the traditional discrepancy model of defining high-incidence disabilities. RTI instead uses a tiered approach, where, as students fall behind in instruction, they receive increasing levels of intervention before being referred for special education evaluation. The systematic implementation of RTI was part of Westvale’s transformation plan, which stated that Westvale will “fully mandate and monitor the 4-Tier (RTI) Framework with identified interventions and...[will] monitor progress and fidelity of implementation of the interventions” (LEA, 2010, p. 2).

Both Westvale and Springertown School district used a four-tier RTI model. In Springertown’s June, 2010 board meeting minutes, the RTI process was explained. The district was using an Academic Intervention Services plan in order to implement interventions across the district. This meant that an Academic Intervention Services staff was hired to provide “research-based” intervention services to students as they moved up through the tiers. The minutes of the board meeting explained that,

The AIS plan is designed to support students who do not meet State Standards. It

is a toolbox full of interventions for students who are not performing on grade level. It was agreed that this plan is imperative to getting students on grade level... [and] the ultimate goal is to identify and remediate the learning gaps by 3rd grade to ensure student success. ([Springertown] Board Minutes, 2010)

Ferri (2011) critiqued the ways that RTI perpetuates the ideology of traditional special education and promotes the segregation of students with disabilities. Of RTI's role in promoting pull-out services, Ferri (2011) explained that as students move up through the tiers, they are likely to receive more intensive instruction in small groups, and that these services are often delivered through pull-out instruction. During interviews, participants explained that Westvale structured homogenous reading levels around a student's RTI status, and that as students moved into the third and fourth tier, they were receiving pull-out interventions.

As students began the RTI process at Westvale, they were grouped for reading based on RTI levels. Several teachers explained how reading instruction occurred at Westvale. Westvale used a double reading period across the entire school to provide both RTI intervention time and reading instruction time. Songer, a special education teacher, explained the school uses:

A 90 minute reading block, 45 [minutes] is the intervention, 45[minutes] is like, what we would call, more like, a guided reading type of thing. They work more on comprehension and things like that. So the interventions are more, if it's the lower level kids, it's more on decoding and that kind of thing.

Later, Songer explained how the groups were constructed.

Also, in this building, not all buildings in the district do this, but our principal

wanted to do this--in fact most of the schools, I think, in our district are keeping their homerooms to do reading--we are not doing that. We leveled our reading groups so that the kids that are in our reading group are all at the same, approximately [the] same reading level.

Skinner explained that these decisions are often made because of RTI intervention needs. If many students needed higher level interventions, he explained, schools often questioned whether there is time to provide RTI interventions. Moreover, Skinner asked:

if there are so many kids that need interventions...are you delivering and are you building it [the interventions] into your ELA and your math, so you can extend them by a half an hour or so to provide [that] extra support?"

Skinner also suggested that available resources to implement RTI were not always available:

If you don't have 80% of your kids or more hav[ing] their needs met at tier one, then you don't have the resources necessary to really move those kids to tiers two, three, and four. And, right now, if you listed say that a tier one kid is a student who is making, who is on level three or four, you know, on the state tests well, the result is we're at about 26% to 27% of our kids are at that level. So you can't have 72% of your kids that are below [level]. You can't service those kids. You don't have the resources.

Thus, Skinner argued that the district supports building RTI intervention needs into ELA time; however this is difficult when there are a large number of students in need of higher-level interventions, like at Westvale. This meant that at Westvale, tier one and tier two interventions are provided by ability grouping students and providing tracked ELA

instruction.

Special education teacher, Songer further elaborated on how the reading instruction choices were made at Westvale.

We sort of looked at the kids in the beginning of the year in terms of reading levels. We had a huge number of kids who were on level in reading, which they call a benchmark...So that there's this, like intensive, which are the kids who maybe aren't [at the] first grade reading [level]. Then there's the strategic, you know, they're at a certain level. I never work with them. And then there's benchmark core kids [who are] reading on level. So the intensive and strategic kids all get a reading intervention of some kind, whether it's Fast Forward, Read Naturally, Wilson, [so, basically] some kind of reading intervention. And so that's how we're dealing with the reading piece.

Thus, students at Westvale were labeled by their RTI level, and then placed into a reading group based on their RTI level. Davis, an educator, commented that,

a lot of people put kids' names on the pyramid and I don't agree with that. I know that it's common. The pyramid is about instruction and how you are instructing at each level of that pyramid. It's not about the kid's name.

So, RTI became another mechanism of standards-based reform based on a rationale that justifies labeling and ability grouping students.

Davis continued by explaining how the reading instruction happened at Westvale. Sometimes it's the classroom teacher because really [with] tier two, you're still essentially in your classroom space. That's not any kind of special education service. We have students who go up, but this is really more like a tier three. The

Fast Forward is [an] out of classroom intervention. But, in terms of Reading Naturally and Earobics, which a lot of classes have, the entire class in first grade is on Earobics, so that's really, personally, that's still part of a core, then. If everybody is doing it, although it is leveled, so maybe I would put that, I guess, [as] tier two. If they're all doing it, some are on Connections, some are on Foundations--some are excelling at this--others are not. So that's still in their classroom, Reading Naturally and Earobics. We have one AIS [Academic Intervention Services] teacher for the building, so she's spread pretty thin. And, she pulls a group at each grade level, about six to eight kids. So, there's no pull-out special ed. services really. Wilson, kids go to Wilson groups. So in terms of interventions, some are right in your classroom and it's part of your regular reading block and others are during the AIS time and you're pulled out.

Unfortunately, Westvale had many students who failed at the core tier one level. A pyramid, as intended by RTI, with 80% of students at the core level or tier one, did not necessarily exist at Westvale, because so many students were behind grade level. Because of this, the school structured its reading instruction around intervention needs. The RTI framework that operated at Westvale further perpetuated the assumption that ability grouping, labeling, and segregating students is rational and necessary. When students were moved up through the pyramid and past the first two tiers, they began to receive interventions in more restrictive settings.

Westvale employed specific AIS staff that was charged with developing and carrying out third and fourth tier interventions. As Davis stated, the one AIS staff member was spread thinly, so others in the school helped out with implementing tier

three and tier four interventions. Curry, who is an instructional coach, often implemented interventions. She had a separate room in the basement of the school. Students came in and out of her office space for pull-out instruction repeatedly throughout the day. When I asked her about this, she said,

I'm thinking of kids in the past, like there are kids I have personally worked with, like every single day for half an hour and I think, I'm pretty good at what I do, you know? And it's one-on-one but still, [it does] not give them--there is discrepancy in their verbal and performance and blah, blah, blah. Oh look at the kid's attendance, you know, he missed whatever, 20% of school, so now he can't qualify for services because attendance is [an exception]. [Yet,] you just want every little thing, you know. They're like, "Oh yeah, he went to that intervention, but it wasn't done with Fidelity. It was only done four days a week instead of five days a week." So, it's very paperwork laden and they are not handing out labels willy-nilly at all anymore.

There is a very specific regimented RTI process that must be followed, especially as students moved up through the RTI pyramid. The implementation of RTI interventions took a substantial amount of time for both students and staff to carry out. Clark, who was also involved in the RTI process, further elaborated on what happened as students move into higher tiers.

There is SBIT [School Based Intervention Team]; it goes from SBIT. So if you're a first grade teacher and you are having concerns about a student, you referred them to the SBIT team and I'm on that SBIT team. And then we meet, and we come up with interventions. We come up with a plan; they are very specific. You

go from reading ten words to reading forty words at his level. They are always based on the kid's level. Then we come back after eight weeks, we assess--you know, there is a case manager that checks that. There is the person doing interventions. It is very specific. And that is always pull-out. So that is like one-on-one with this child... Then we see the progress they make. Did they get to 30 words? Ok, then, they made this much progress. We, either at that point, decide to keep the intervention going. Let's see if they'll keep making progress. Stop the intervention and start a new one. Or just go right to [the committee] and refer this child. They are not making any progress, there is something going on. So, then...it would go to [the committee].

As students were deemed as not responsive to tier one and tier two instruction, which occurred in ability leveled reading groups, students were then referred to the School Based Intervention Team, where they were provided interventions by available staff. Interview participants begrudged the fact that it had become extremely difficult to make it through the four-tiered RTI process and to then receive a special education label. During the time that students were going through the process, they were being excluded for part of the day for interventions. If the process resulted in a label, it was likely that the student would subsequently be placed into the more restrictive environment that came with having a special education label at Westvale.

State-mandated ESL services. Another reason that students were either put into ability groups or pulled out at Westvale was because of ESL services. At Westvale, of the 40% of students who are LEP, 58% are also labeled as a student with a disability (Office of Civil Rights, 2010). This shows that there are a large number of students who attended

Westvale that received both ESL and special education services.

It is mandated by the state that students designated as having LEP receive 180 minutes per week of bilingual services if the school has more than twenty students in the same grade who speak the same language. Specifically, the state claims that “English Language Arts instruction shall be provided to students at the advanced level of English language proficiency for a minimum of one unit of study or 180 minutes a week, divided into substantially equal daily allotments of instructional time” (NYSED, 2012, “In a Bilingual Program” para. 1). In terms of class sizes for these programs the law “does not address this issue. Class size should follow the districts’ established policy for in-class and pull-out programs. We recommend that smaller groups be organized by grade or ESL proficiency levels when developing district policy” (NSYED, 2012, “What is Policy on Class Size” para. 1). Although the state does not mandate that schools must provide mandated ESL instruction in pull-out or small groups, such arrangements are implicitly given preference in the policy document.

From a district perspective, the time that students spent in mostly pull-out sessions for ESL services is, in fact, mandated by the state. Skinner, a district-level administrator, explained his interpretation of the state regulations.

I know that ELL’s have to have 36 minutes and 72 minutes of pull-out services. I know that’s always been a challenge because, you know, I believe some of those kids should be getting some of those services right in the classrooms. It’s ridiculous, but the state requires this 36 minutes and 72 minutes. 36 for intermediate kids and advanced and 72 minutes for beginners and, it’s like this number. You know, it’s kind of like all autistic kids should get speech five days a

week, which was always a fun regulation [seems like sarcasm]. You know especially when the kid doesn't need speech five days, but it says autistic kids get five days. You don't do that for LD [learning disabled] kids or anybody else. Skinner did not necessarily agree that the required time that students must receive bilingual services was best for all students, but he believed it was a requirement of the state. In reality, the state is silent on where the services must take place; technically these services could have been implemented in a regular education setting.

School-level administrator, Slater also explained that special education services were prioritized over ELL services. She claimed that the state mandated the pull-out ELL instruction, but she says that;

special ed. does trump ELL. So what happens is [the ELL specialist] and I will talk. They will say, if we think this is a good fit, the kid is going to get into a Wilson program for reading. So we give them 60 minutes of ESL, because they have some special ed. So that's one thing is just the scheduling of it is difficult. There was some attempt to work with the schedules of students who needed both services. Special Education teacher Johnson explained the process that his students who receive ESL services went through:

I have two boys, two of them that receive ESL services. They are beginner students, even though they've been here for quite some time. They go in the morning. Instead of going right to their reading class, they spend the first half hour of their reading class with an ESL teacher. And she's doing reading and things like that with them and then they come back to their reading group next door. But yeah, most of it is done by pull-out now. Like, we have a fifth grade

ESL teacher who has her own reading group. So we built her reading group around the kids that she needed to spend the most time with, because of their minutes and their requirements. And then the project in the afternoon, she has a different group of kids that get sent from a couple of classes to go see her. So they're getting what they should have been [getting] with[in] their classroom, but they're also getting that extra support from ESL that they need and they are also getting their state required minutes.

Johnson explained that students are getting extra pull-out services, because they are both special education and ESL students; he claimed that "they need that much extra help. They're getting a ton of support but there's a reason that they're getting that much support." From Johnson's perspective, these students needed to be pulled out to receive enough help to remediate the deficiencies that comes with their language and disability status.

Speech pathologist, Clark further elaborated on the pull-out services and explained that some students with disabilities received many pull-out services throughout the day. She claimed that:

It's just called ESL. So they get that for 72 min. of that and then they get can get speech on top of that. Some get occupational therapy on top of that, so they're out of the room a lot, because ESL. ESL at our school is, sometimes it's all pullout, sometimes it's push-in, and sometimes they do 45 minutes of pullout and then they make up the other whatever 15 [minutes or] whatever the rest is--I can't think--on a 27 minute...of push in. It's very broken up just because of scheduling and how many kids. We have five ESL teachers, four ESL teachers in K through

five building; so, that tells you how many ESL kids we have.

It was obvious that the more labels students had, the more services they were required to receive. The rationale behind the mandated services was to remediate skills that the students were lacking or provide supports necessary for their success. Unfortunately, districts and schools often assume that they can only meet these requirements in self-contained or resource room settings. Students, who fall into more than one category, are often pulled out to receive more and more services, resulting in loss of instructional time and access to general education curriculum and instruction. Also, only schools that have large numbers of LEP students (twenty or more per grade level) are required to implement ESL services in this way. Because the other schools have no mandates around administering such services, this acts as an additional penalty for having a large number of diverse students in one school.

This penalty is an example of what Linda Darling-Hammond (2007) refers to as the “diversity penalty” that exists under NCLB. She explains that schools are more likely to be deemed failing if they serve a diverse demographic, because of the way that NCLB constructs subgroups and defines failing schools. Extending upon this point, not only do schools face a “diversity penalty,” but individual students who fall into more than one subgroup also pay the price for the “diversity penalty.” Thus, student’s intersectional identities are compartmentalized and responded to separately in relation to policy requirements.

Remediating deficits. A final reason why students are pulled out is to remediate perceived deficits. The rationale for pulling students out is to make up for areas that students are behind or struggling with, particularly if students lack skills that they need

for success on state tests (namely mathematics and literacy). Kroger, who was an administrator at Westvale but who now is a principal at a nearby school, recalled how he rationalized the need for special education pull-out services. When asked how the special education students were progressing at his current school, Kroger explained,

[Kroger]: They will never make AYP here. It's horrible. So that's why we're hoping the new model [will be better] for them... the new service delivery model we're hoping helps us to fine tune and pinpoint exactly their weaknesses.

Jessica: So what does the new service delivery model look like?

[Kroger]: Its pull-out rather than three teachers in a room.

Kroger further elaborated on the new service delivery model that he hopes will improve special education's AYP standing.

If you look at our state test scores in the last two years, we've not made AYP in special ed., so it hasn't worked. So when we have the new service delivery model for third, fourth, and fifth [grades], we're hoping that it's going to help, because it didn't help in years past. And to make that, what is it? The AYP stands for annual yearly progress, it's actually adequate. The A stands for adequate, so we'd love more than adequate, but we haven't made it in the last two years and it probably goes back even further.

When students with disabilities do poorly, the assumption often follows that the students need to spend more time remediating the skills they are lacking. Kroger is implementing a school wide pull-out program for students with disabilities, because they are not passing tests. It is understandable that Kroger feels that this is the best model, but research on inclusive education shows (a) there is nothing new about this model; and (b) segregated

and pull-out models and a focus on remediation is actually quite harmful to students (Brantlinger, 2006a). Even if the immediate result of such action is an improved test-score, there are long-term negative ramifications of such practice (Kohn, 1999).

Several interview participants also questioned the usefulness of constantly pulling students out of the regular education classroom. Davis, a long-time teacher at Westvale, explained what she saw as the problem.

It always seems very messy trying to figure out who is supposed to go where, how long are they supposed to be there. I mean, I have kids that I literally never saw. Between speech, resource, and ESL they basically came in, put their stuff in their locker, left, came back at the end of the day. They would have lunch and specials with us. I would never see them...I think a lot of the kids probably liked it because they were in small group instruction for most of the day and they got to kind of move around to different teachers. I don't think they hated it. I think, sometimes, if they thought we were doing something really great and they wanted to be a part of it, they would get annoyed, like, "I don't want to go, I want to stay here." So that was kind of a struggle. And it was always a struggle at report card time. How do I grade a child that I don't see all day long? But then with this accountability, I would be accountable for that kid because they're my students even though I don't instruct them at all. So it's sort of a sticky situation.

From a general education perspective, Davis eloquently unraveled some of the issues that arose when students who have disabilities labels were constantly pulled out of the classroom for various reasons. She also raised concerns about how pull-out instruction may affect pending teacher evaluations.

Gartner, who is an educator that plays a variety of roles at Westvale, responded that small group pull-out instruction was not necessarily a best practice.

Sometimes people will group kids. There are lots of things teachers are doing really wrong. It's not because they are bad teachers, it's because they don't have adequate PD [Professional Development]. For example, what we do with dual language learners, some... put them all in groups with the lowest achieving kids. They are not low achieving, they [just] haven't learned English yet. If you put them with the high achieving kids, they would probably learn the language better. If you put them a mixed group, then everyone is talking and people learn to interact. But that's not what is happening. But maybe a couple of years down the road that will be what is happening.

Research shows that requiring students with disabilities to spend large amounts of time outside of the classroom so that they can work on remediation is not beneficial (Brantlinger, 2005). However, the logic that permeates standards-based reform movements makes administrators and educators feel that ability grouping and pulling students out is necessary so that students can improve on basic skills, with an ultimate goal of passing high stakes tests.

Instructional Exclusion

Not only did students with disabilities at Westvale become isolated from the rest of the school because of segregated placements and pull-out instruction, they were also excluded from many elements of the school community and from the instruction that regular education students benefited from.

During interviews, many Westvale teachers praised the adoption of the Expeditionary Learning (EL) program. In many ways, time spent on EL at Westvale, was when students accessed meaningful, culturally relevant, interdisciplinary content. By using the EL approach, students engaged in semester long interdisciplinary projects. Teachers drew on the content standards and worked in grade-level teams to develop curriculum that related to the topic of the semester. Students also engaged in service learning as part of the EL approach. The school committed a large amount of time and resources in order to implement the EL curriculum. Instructional coach Curry recounted the evolution of content at Westvale because of EL:

Expeditionary Learning has brought back the content so every day everyone gets two hours of content. We have never had that before. First of all, we are an extended day school...Under the redesign plan, we opted to work an extra hour, so that gives kids an extra hour of instructional time, which is fabulous. And, so, that has allowed us to bring back content. When I was in the classroom like if you could get content in, like “Oh, great, I taught, you know, 30 minutes [of] social studies today, or, you know, 30 minutes of science.” Now I mean it’s so content rich here now and our kids are learning stuff about content. That was the turnaround for the really good part. So yeah the standards, no problem with the standards, I think it’s great. I don’t know, I’m just going to use the direction that the content is going here in our school. It has built community. In the school we start--every classroom starts--with a morning meeting or a crew and once weekly we have a community meeting where the entire school goes and our grade level presents their successes they’ve had. There’s music and it’s pumping and it’s

dancing and it's you know, engaging for the kids.

District-level administrator, Skinner explained that the expeditionary learning approach was an approach that fit the instructional needs of students with disabilities. He felt this way because of the, "hands on pieces, it's that interactive piece. Our [special education] kids tend not to do well with the stay in the room, sit in rows, try to digest lecture type of approach, the more traditional approach."

Other teachers praised the approach, and Songer, who is a special education teacher in an inclusion classroom, explained how EL works extremely well in her co-teaching environment.

[Songer]: I love the idea of EL... I love the way content is covered. I love the way we're finding more and more material... to be used in the project time. I love project [time]. Our kids love project [time]. They'll say in the morning, "are we having project today?" Depending on the project, some are more fun than others. But they will ask first thing in the morning "are we doing project?" I like it. [My co-teacher] has been great--my team has been great about differentiating...

Jessica: Is it working well in terms of students with disabilities?

[Songer]: Yes, I think it's been working great. They are learning the vocabulary. We're trying to do a lot of technology with it. You wouldn't believe the YouTube videos that we can find on our projects, because we did the salt industry, so there was a lot of stuff there. We had just started [teaching about] recycling and going green and environmental health, actually how humans are impacted by these kind of things. [My co-teacher] found these--and we had just finished the salt industry so we were talking about [nearby] lake--she found these wonderful three-part

videos about how [nearby] lake got polluted, what it used to be like, how it got polluted. The kids are so into it. So it's really been great. So we can use a lot of technology, but they're learning auditorally. We do some read alouds. We differentiate some of the reading. They all get the vocabulary so really it's worked out really good. But using the technology has helped.

Both Skinner and Songer felt that the EL model had a great deal of potential to provide rich instruction for students with disabilities. In Songer's co-taught class, it appeared that many of these students, most of whom have an LD label, were gaining access to at least some of the EL curriculum.

It was questionable, however, whether all students at Westvale were truly integrated into the curriculum. Special education teacher Johnson explained the whole-school component of EL.

Yesterday we had a community meeting with our whole school. That's another part of it [EL], once a week the whole school meets in the auditorium. A grade level puts on a display of what they've been working on [and] teaches the school something. It's kind of like a celebration of learning. And we have those meetings every Wednesday in the auditorium-- just kind of like share anything positive that's going on, and talk up everything, and make a big deal out of everything. No accomplishment is too small, and everyone is working together. There's a piece of community in there. We try to research things that are going on in the community that tie into what we're doing here [at Westvale].

Because Johnson taught in a multi-age self-contained classroom, I asked him about whether his students participate in the grade-level presentations. He explained how it

worked for his students.

I basically just tell them they're all in fifth grade, because some of them have been here last year in this very classroom. I wasn't the teacher, but they were in this classroom. A couple of them moved up from a different classroom down the hall, so I kind of just present this [as] fifth grade. In the afternoon they all do fifth grade work. They are all not doing grade-five work, [but] they're being treated as fifth graders. Like my math group that she's [another teacher] working with, they're doing second and third grade stuff. My kids are doing a mixture fourth and fifth grade work, but in the afternoon when we do the project, which is either social studies or science, they are doing fifth grade work.

Thus, the students in Johnson's classroom were not truly a part of the EL projects in the same way as the other students at Westvale. When the self-contained students attended the school wide assembly, they had to act as though they were a part of the general fifth-grade EL project. For a while, the special education teachers weren't even included in the grade-level EL planning meetings. They are now included, but they have to choose a grade level to work with and accordingly, students may have repeated the same grade-level projects for more than one year.

Johnson also rationalized the fact that his student's were not on grade level, as a justification for the exclusion of his students. He continued to explain how he incorporated EL into his classroom:

Right now, we've been spending time [learning] about the Boston massacre and looking at both sides. We read one reading from one side-- read another reading [from another side]. A lot of times, when we do that, I have a kid at first grade

level, a kid in second grade level, a kid in third grade level—so, we have to end up reading it together. Some of the other ones [students] can go on a little bit without me. But, if they were in the general ed. population and it came time for that project block and somebody handed them a reading that looked like this [shows me a reading] and they're only a first grade reader, they're basically going to be set up for failure. So that's why right now I only have one [student that can go into regular education for EL time]. The workload and the level of work that they are going to be given will be overwhelming to them, and, which I am afraid is going to lead to a meltdown or just acting out.

Johnson felt that because he modified the content of EL, his students would be successful. He perceived regular education classes as spaces that cannot adequately differentiate or modify the EL instruction. Because of this, he assumed that the students who were in his classroom would be unsuccessful. Speech pathologist Clark elaborated,

Special education-wise... I think it's very hard for those special education teachers to be teaching colonial America and the Iroquois when they have a kid that can't read the word "cat" and you have been trying to show them the word Iroquois. And it's not differentiated. That's the problem... All of the expeditionary learning stuff, it's not differentiated for the most part. So they have to write the same letter; they all have to show the same presentation for the same project, end product, but you have a child that has multiple disabilities or something, they can't do that. So literally you, then you have a child that's copying [a work]sheet so they can hang it up on the wall. So we tried to come up with ideas...or more groups. This kid maybe just draws the pictures of the Iroquois. That's where he's at. Let's be

honest, this kid can't read the story and present it to the parents... Okay so there's three self-contained classrooms and they all teach their expeditionary learning. They join [a regular education classroom] because it's, K through one and two; three to four, then eight to 10, and then age 10 to 12. So they [the special education students] join either the fifth grade, they are doing the same project as the fifth grade and fourth grade. Then, I think she [another teacher] teaches first grade to the other self-contained [students]... But again, from the conversations I've had with them [teachers] they are not really able to modify it because the end product has to be the same as everybody [else]. And so they can't really, so they are teaching this and it's, my feeling from speaking with all of the self-contained teachers that I work with is that, it's a waste of time for them, because they need to be teaching ABCs and whatnot. I keep bringing up colonial America. So you know these kids don't get it. So it's...crucial too, that they...learn more of these basic skills. So, I think that's what's hard. Some of the kids do push-in to the other classes, if they are ready. I know that in the eight to 10 year-old self-contained classroom, she has one student that pushes in with the other fourth graders, but that student can read and write, so it's more appropriate.

Teachers at Westvale struggled with integrating the special education students who were in the self-contained classes into the grade-level specific EL curriculum. When the final product produced by students had to be at a specific grade level, but the students' skills are perceived to be below grade level, the EL curriculum is perceived as inappropriate for most special education students. In the co-taught class it seemed to work well, as the material was truly differentiated and the teachers worked together to include all students.

This was not the case for the self-contained classrooms. The perception was only the one or two students who were able to read and write at or near grade-level should be able to participate in the rich EL content.

School-level administrator, Slater voiced similar concerns about how well EL works for students with disabilities:

We have expeditionary learning, and that's the end of every block or, excuse me, at the end of every quarter; they do [a] project and all of the kids are doing a project. We want the kids to be included, but think about it for a minute--if it's my kid and my kid can't read and they are going to do a project, would I rather spend that time on getting a double dose of reading?--because reading is a skill that they will truly use in their life. Or do I want to have them do that EL block? There are only so many hours in the day.

Slater continues:

It's [EL] not an effective strategy for our special ed. kids...I think that when you look at expeditionary learning, that's good. It's process, that's good for special ed. kids--that they would take their work and they would have time to make it better. And when it's better, they would have time to make it even better. But you know, a lot of our [special education] kids have short-term memory issues, they have processing issues. So, the theory, the theory of a general ed. child is that, with more practice, you will develop mastery. Kind of the drill and kill, but we are going to do it a little nicer now-a-days. But with a special ed. student, sometimes they really need to develop a different strategy. More of the same thing, if you truly know special ed., it is not always the right answer...I don't know how good it

is for our ELL students either...If I look at the special ed. mind and I say to a kid, we are going to practice tying your shoe—now, we are going to talk about where shoe tying came from and we are going to talk about when people didn't have shoes. That's what EL does. And we are going to talk about the times when Velcro shoes were invented. Sometimes when you are a special ed. student, you just need the answer...Even math instruction, it's all about, we feel like you will be a stronger math student if you know why subtraction takes place, you know why math takes place. No, some kids just need to learn how to borrow. They don't need to know why. All that does is complicate it; they just need to learn the skill. So that's the political piece we continue to fight with special ed. Do I think that EL overall is a phenomenal way to learn? I really do, because it's real world. In the real world, you know, I have to produce something. So I think in that way it's fantastic. But for kids who have short term memory, for kids who have processing issues, for kids who can't see the big picture, it's not about why we decided to tie our shoes, who invented it? [It is] "How do I physically, fine motor wise, how do I take my hand to talk to my brain to take one shoe and put it over the other? How do I manage that skill? That's what I need to know." And it completely misses that boat.

As a school-level administrator, Slater did not believe that EL was an approach that was appropriate for students with disabilities at Westvale; instead she felt they needed instruction that was entirely different from what regular education students needed. Slater suggested that special education students do not need to know the "why's" of instruction, instead they just need to spend time learning basic skills that they lack, whereas general

education students can learn rich, culturally relevant, “real world” and project-based curriculum. This is an ideology that continues to perpetuate a great deal of traditional special education philosophy (Gallagher, 2005). These ideas are also in direct contrast to the opinions of Skinner and Songer, who both argued that EL was a well-suited match to the educational needs of students with disabilities. They suggested that EL was working well in the classroom labeled “inclusive” at Westvale. However, the more students are segregated because of perceived deficits, the more it will be assumed that they are in need of remediation and the less likely they will be perceived as benefitting from inclusion or grade-level instruction.

Finally, even district-level administrator Garcias questioned whether EL was a good approach for Westvale as a whole. As Garcias sees it, the entire school should be focusing on foundational skills, so they can get out of being labeled as failing.

[Garcias]: They are not doing it [EL]. If you go to the [other school that uses EL in the district] you'll see expeditionary learning. And I have said that to [Westvale], that you can't half do a model and think you're going to see results. You have to either do it or not do it. And I think that [Westvale] has an excellent principal; they are trying to improve so much that they are becoming a Christmas tree school; they are trying to do a little of this and a little of that. You have to focus on one thing and that is good instruction, do it well. The [other EL school in the district] focuses on expeditionary learning and they are improving.

Jessica: Why do you think they are not doing just that fully?

[Garcias]: I don't know, but I don't think it's a good model for their school. I think that they need to focus on early literacy right now and some foundation, some

foundation skills if they're going to be successful. And I think then, perhaps, they should focus on EL at fourth and fifth grade and send those kids to [the other EL school].

Thus, even Garcias believed that Westvale students need to spend time focusing on what they are lacking. From her perception, the entire school is lacking early literacy skills and is not ready to use an approach like EL. Garcias assumed that when students lack basic skills, it is incompatible to use a teaching approach that capitalizes on student's interests, backgrounds, and strengths.

The ideology of the need to remediate skills perpetuated the description of students with disabilities and ELL needs, despite the fact that these approaches are incongruous with the EL approach. The result is an assumption that students with disabilities must be excluded from the whole-school EL approach. Expeditionary Learning is a content-rich approach that many feel would be a great instructional approach for students with disabilities. However, because many students are not a part of the schools regular education classrooms or because others believe they will not benefit, they are excluded from truly being a part of the school community.

This philosophy about the need to remediate skills for students who were not performing at grade-level was pervasive throughout the district. As students fell further behind (because they were missing regular education content) schools believed that further remediation was necessary. Teachers and administrators experienced significant pressure to get students to perform at grade-level, and they believed that the best way to get them there was to remediate student deficit. This led to the conviction that if students could not perform at grade level, they must be excluded.

By the time students reach high school, they are tested in five subject areas, not just ELA and math. These other content areas may be even more difficult for the students to learn, because ELA and math tests were the main focus during early years. As students moved through the system into high school, discussions about whether grade-level content can be modified became a source of contention.

Modification and Prioritized Curriculum Courses

At Westvale, exclusion of students based on not being able to keep up with grade-level standards was starting as early as Kindergarten. Standards-based reform was in many ways affecting the service delivery choices made at Westvale. However, several schools in Springertown School District do continue to implement fully inclusive models at the elementary level. Nonetheless, each of the four high schools in the Springertown School District maintained segregated programs for students with disabilities. Elementary schools such as Westvale, which operate segregated programs, tend to track students beginning in elementary school through to high school. Tracking decisions are often influenced by issues of race and class (Burris & Welner, 2005; Oakes, 1990; Slavin & Braddock, 1993), and rarely is a student who enters a low track ever exposed to high level curriculum. Kintz (2011) also explained that, “students once placed in a certain tracking ability level almost never leave that level of learning. What happens is the students start off in elementary school being ‘tracked’ into reading groups but these reading groups ultimately end up determining the vein of academia the student is taught for the rest of their education” (p. 57).

District-level administrator Skinner explained how he viewed inclusive education at the high school level in comparison to the elementary level.

Obviously, the goal is to have him out [of self-contained classrooms] as much as possible. We also have to think of where we're preparing him for: the high school. What's the high school program going to be for them? So alright, fully inclusive [classrooms] all the way of through [until] the kid's [in] ninth grade. High school teachers don't do as well with a kid who's reading at the first grade level being fully included, you know? It's not about socialization anymore, it's about--the issue we have up there is that it's about credits. It's all about credits and Carnegie units and that's it. That's what a high school is, it's about covering the content and making sure those kids earn the units that they need to earn in order to graduate from high school. That's what high school's about.

Skinner explained that the sole role of high school is to get students content and credit. In high school, the pressure to segregate students because they are behind in grade-level skills is heightened as students get closer to graduation. By the time students enter high school, the assumption is that they cannot be included because they are lacking the basic skills and content knowledge that they never had access to learning in the first place. This is compounded by the fact that there is increased pressure of looming diploma requirements and graduation deadlines.

Skinner clarified why some students shouldn't necessarily be included in regular education classes as they get older.

I believe in the continuum and having it available in every school and definitely more and more inclusive, but for my kids I like to see a continuum of things.

Because, MR [Mental Retardation] kids [who are in] eighth grade [are a] great example you know of kids, who may have... always been self-contained, which is wrong. But as they get up in the middle school [it gets harder]. If you've got an IQ in the 50's and your reading is at kindergarten or first grade level and you're working hard--you're there every day--a good kid, but at the same time you've got to deal with eighth grade curriculum... You know [you are] in a situation where there are many kids with various and assorted needs academically and behaviorally, [then] you get lost in that shuffle. And you've got kids coming home in tears because, yeah they're in the room, but they're not a part of it. They're not getting everything they need.

According to the dominant special education discourse reflected in Skinner's response, if the students are not able to keep up academically, then it is not appropriate for them to be in the general education classroom. The onus of responsibility is placed on the child, who must be able to keep up. The responsibility is not placed on the environmental factors and lack of appropriate supports that should be in place in order for the student to access the curriculum. Based on this rationale, segregation becomes a commonsensical solution.

Participants I interviewed also discussed whether Regents courses can and should be modified at the high school level. If courses cannot be differentiated and modified, students with disabilities will not be truly included. According to the IDEIA, students ought to receive modifications documented in their IEPs in their regular education classes. Students, however, are not able to receive any modifications on Regents examinations. For some participants I interviewed, this presents a contradiction.

NYSED (2010b) claims that, “a student with a disability must not be removed from education in age-appropriate general education classes solely because of needed modifications in the general curriculum” (p.58). However, because there is more accountability and sanctions linked to Regents exams than the IDEIA, the logic of the Regents tends to trump the logic purported by the IDEIA. Thus, many schools assume that if a student's work needs to be modified in regular education, then the student does not belong in the class.

This contradiction is the crux of a dilemma that schools face. District-level administrator, Kloser, offered an explanation for how this dilemma worked itself out at the high school level.

The chemistry teacher says, “Well, I'll let anybody stay here, but I'm teaching chemistry.” And, what grade do you want Jessica to get? Do you want her to get the same grade as everybody else? Do you want me to modify it based on her effort? You know, there is no good answer to that. To me the good answer is, “Does it matter?... I'm a math teacher. Now do you want me to give Jessica her real grade--what she earned--or do you want me to give her [a grade that reflects] how hard she worked?” And the standards, this whole big standard thing saying, “Oh, no, you just give what she is really able to do.” And rather than teachers saying--you know in some ways that argument has gone away because there is a huge debate in the middle school. And I used to say to teachers, “Give me a frickin' brake, you're telling me that their grades, their middle school grades, are so perfected that that you have to give [Jay] a 40 because you're gonna give Jessica 90?” And that's the gap in everything... it's not an exact science but, the

idea that the grading system is now based on a fixed curriculum, I think. Again it's harmful to individual kids, but it's something that society has said. It's the only way I can know whether you know math or [not]. And I would say there are lots of ways you can know, but it takes time, effort, more work, and money.

As Kloser aptly pointed out, the standardization of content in high schools reinforces the idea that if a student cannot keep up at grade-level, then s/he should not be able to pass the class. As the supposed “rigor” of the content is raised, there is an assumption that the grades must represent an ideal of “fairness.” This thinking saturates high schools. In order to make inclusive education at the secondary level work successfully, teachers must understand that when it comes to grades, “fair isn’t always equal” (Wormeli, 2006, p.1). Unfortunately, the thinking behind standards-based reforms intensifies the assumption that grades must be dispersed fairly and that course grades must accurately represent a child’s ability to perform on the Regents exam.

District-level administrator Skinner further elaborated on the contradictions between the Regents test and Regents courses.

If the credit is not worth the credit, the problem we’ve had, Jessica, is just that you might have an 80% pass rate in algebra one at your school, you know passing the course, but you got a 25% pass on the Regent’s. I remember my first year at [another school] I brought that up, that’s why I only lasted for about a year, that was one of the things. Because I was like, “how can you have an 80% pass rate with a 25% pass on the Regent’s?” So technically they have 25% of the kids that passed, technically. [They said to me] you don’t know, you’re new to high school. Ten years later they’re PLA, you know? So that’s the issue. But if an 80 means an

80, you know, in that class and 80 means you've earned an 80--phenomenal. I think that's the problem, it's that expectation in the classroom, that 80 really hasn't equated to an 80% pass rate or an 80 on the Regent's. Then 80 in the classroom isn't equated to an 80 on the Regent's... Say the kid got an 80 in the course so you would say 80% pass. Is the kid getting an 80? No, he will be getting a 65 [or] a 58. Do you know what I mean? So, is the rigor of the classroom matched to the rigor of the assessment? And [with] some of those assessments you know a 75 means that you got 33% of the problems right. On the standard score and on the table it bumps you up to a 75, but you only got a third of the questions right.

Skinner, thus, lays out the dilemma created when Regents courses are expected to match the Regent test. Yet, many students who attend schools that are deemed low-achieving are not achieving adequately on the Regents tests. So, the solution that Springertown set forth was to remove students from regular education classes who could not pass Regents exams. Thus, students who succeeded in the classroom with accommodations or testing modifications can be excluded from these classes, if they are at risk of not passing the Regents exam without those accommodations and/or modifications.

Even though the NYSED guidance document explained that needing a modification in curriculum is *not* a justification for exclusion, state-level policy makers admit that in practice it is likely to be a justification. State-level employee, Davern, suggested how the modification issue should be dealt with:

I think most students with disabilities need to be able to master the content in the Regents exams. And I think from my perspective, principals in schools need to be

paying special attention to places where students are passing Regent's level courses and failing Regents exams, even at the 55 level, which is not a very rigorous level. Given that passing the Regent's course is supposed to represent proficiency in the learning standards that are required within that course, we shouldn't be seeing a big discrepancy between success in the course and success, especially at a 55 level on the examinations, especially given the accommodations that students are permitted.

According to Davern, if a student cannot pass a Regents test, they shouldn't be able to pass a Regents course. This logic ignores the importance of meaningful formative assessments that can be used to judge students ability in classes. This thinking not only influences schools to segregate students, but it also emphasizes the teaching to the test. Students with disabilities may likely excel with meaningful, engaging, universally designed assessments and may be able to be quite successful in a class, even though may falter on a high stakes exam. Davern's statement also assumes that the tests are valid measures of ability for students with and without disabilities, which may not necessarily be the case (Ravitch, 2010).

At the Commissioners Advisory Panel meeting that I attended, an individual who holds a high rank in the Special Education Department for New York State explained how she sees this dilemma. She elucidated during the meeting that there should be a direct relationship between course content and a student's test score. She asks what schools are,

doing to examine the relationship between course grades and Regents scores? It doesn't take much to get a 55. How are teachers being held accountable for

scores? If you take the course and you pass but you fail the Regents, how did they pass the course? We have to be looking at course content, so in the end the test won't be the problem, it will be the course. It's not to student's advantage to give students a passing score when they don't have mastery of the content.

Again, the state is pushing the idea that Regents level courses should be developed around the tests; or at least that success in the class should automatically lead to success on the Regents. Moreover, because her assumption is that the tests are valid, she fails to consider how the tests fail to capture what students with disabilities know. Instead she suggests that teachers are likely to be the reason the students are unable to succeed.

Because of these dilemmas, the Springertown school district responded by creating a new track of courses available for students with disabilities at the high school level. According to district-level administrator, Skinner, content in Regents courses can be offered to students with disabilities at an "80% of modification" rate in order for a student to receive a Regents level credit for the course. After doing an extensive search of NYSED policy and recommendations, I found that the only official guidance that NYSED offers on this subject is that during IEP meetings, eligibility for a regular diploma should be discussed by the IEP team. NYSED (2010c) explains that students with disabilities are eligible to receive a Regents diploma when they are "enrolled in coursework that leads to a diploma and [are] provided instruction by teachers highly qualified in the subject area courses being taught" ("Opportunity to Earn", para. 3) with the appropriate supports and services. There is no guidance whether a student can or cannot receive course credit if the course content is modified. Furthermore, modifications are a component of supports and services that students are entitled to through the IDEIA.

Thus, to assume that a student cannot receive course credit because his/her content is modified goes against IDEIA and the guidance from New York State.

Instead, Springertown responded to the modification dilemma by offering a new set of self-contained special education courses. These classes are called prioritized curriculum (PC) classes. In Springertown's School Districts (2010) "Special Education News" document for parents, these courses are explained as follows:

Prioritized Curriculum (PC) is in its second year of implementation at the high school level. These credit bearing classes are taught by staff who are either dually certified in special education and the required content or have been found to be highly qualified through a process developed by the New York State Education Department. The PC classes have a maximum of 15 students with disabilities per section, and are scheduled within the master schedule in the high schools just as the general education courses are scheduled. The courses are based on approximately 75% of the most critical elements of the content (curriculum) offered in the general education classes and were written by both general and special education staff. Supplementary texts and materials are available for each course. Current prioritized curriculum (PC) offerings include English 9-12, Algebra, Geometry, Living Environment, Earth Science, Geography, Global Studies and United States History and Government. Students may need PC classes if the impact of their disability prevents them from fully accessing the general education courses with lower levels of special education support and general education instruction support (resource, consultant teacher direct/indirect, AIS and other interventions). Students who can continue in the general education

setting for their coursework should continue to do so as we are responsible to provide students with programming in the least restrictive environment. (p.7)

The school district is acknowledging the potential contradiction these courses may have for students accessing the Least Restrictive Environment. In fact, the students who attend PC classes would otherwise likely be included in regular education courses. The classes are composed of all students with disabilities; thus, they are self-contained classes.

District-level administrator Skinner explained why these classes contain only student with disabilities.

In the PC, [it has to be] all [students with] IEP's. Can't have any other--let me tell you there's a lot of schools that would like to put gen ed. kids in those rooms, [because] they would probably pass the course. But we're like "no, it has to be pure." It makes sense [that they would want regular education students in the PC classes] because there are definitely kids that are slow learners, and they may have cognitive scores in the 70's [who] don't qualify [for special education services]. Their achievements are in the 70's,... so it's like they don't qualify as a student with a disability, but they're definitely a slow learner. Put them in that kind of class and they probably would do well. But we only have a certain number of slots, and obviously I want them going to my [special education] kids because we're facing, you know our graduation rate is in the 30's, you know for our kids [with disabilities].

When developing the content for these courses, Skinner explained the process.

We sat down, we had general education teachers--so let's say an Algebra I teacher. We got a group of them and we got a group of special education

teachers... We had them sit down and look at our board of education adopted curriculum for Algebra I and literally black lined parts of that curriculum. They just said “you don’t need to know this, this is not a priority.” But, what’s 80% of that curriculum? We know that they got to get 80% of that curriculum.

After this comment, I questioned Skinner about where the 80% rule comes from. He responded that the “State is 80%--75 to 80%. That’s [the] state. So, that’s what we use as the rule of thumb.”

The fact that the PC courses are comprised of less content and are only available for students with disabilities raises many questions about how these courses influence teacher expectations of students with disabilities and whether these classes violate LRE provisions of the IDEIA. It is clear that Springertown school district was reacting to the pressure of the tests and that they have concluded that this format will help improve test scores. Skinner explained why he feels the PC courses have been successful:

What we’re finding is in those classrooms, we had about a 23% pass rate in algebra I. For example in the past—last year...one of our high schools had a 57% pass rate for algebra I for students with disabilities. That’s the first year we’re doing it and she’s [a teacher] got this--you know, more than 100% increase in that [score] because it’s no more than 15 kids, it’s intensive, so the kids are experiencing that success.

State-level employee, Hoffman, offers a bit of skepticism about the existence of the classes. She explains that districts rationalize the need for the classes because:

Kids [were] sitting in special classes for up until 9th grade two to three years ago. There was no way they could go into a fully included setting and figure out what

was going on, even though my personal background is full inclusion. They started setting up through some of the trainings, prioritized curriculums, where they took the main points of the curriculum and taught it specifically to these kids. [It was] often in special classes [and] sometimes in mixed classes with other kids who were struggling to get through high school. They have lots of success with that. I'd like to see that go away, as time goes on. I see it as a stopgap measure for the kids who were unable, who have been caught in this debate.

Hoffman was both understanding of the current need for the existence of such classes, but critical of the fact that these classes were taking away from the inclusive environment that these students might otherwise be placed. Similarly, Nelson both understands the desire to create these classes and voiced a concern about their existence. She explained that the district should “be commended for sort of deciding to make that shift towards, you know, attainment, but it raises a lot of questions.”

Overall, the increased standardization of content and the high stakes attached to achieving on Regents exams has caused districts and schools to view achievement in very narrow ways. Students who aren't successful on Regents exams and who need modified content in classes, in many cases, may not be able to remain in regular education classes. Pressures stemming from standards-based reforms have caused schools and districts to make choices, which detract from the inclusion of students with disabilities in regular education classes. Self-contained programs, such as the prioritized curriculum classroom, include many students who would otherwise have been included in regular education courses. These students are receiving less access to high-level content and are being placed in more restrictive environments. Essentially, a new track was created at the high

school level for students with disabilities.

Other students' who were not able to be successful at what is deemed a 75-80% modification rate are often entered into lower level self-contained tracks (that aren't necessarily linked to Regents content), where they have no opportunity to receive instruction that would lead to a regular education diploma. These tracks are aligned with an entirely different set of content standards.

Diploma Options

In the Blueprint for Reform (U.S. Department of Education, 2010), the Obama administration claims that they are setting "a clear goal: Every student should graduate from high school ready for college and a career, regardless of their income, race, ethnic or language background, or disability status" (p.3). This idea that every student will learn content standards and earn a diploma that will prepare them for college pressures states to link standardized curriculum and tests to graduation requirements.

New York State requires all students to pass the Regents examinations in order to receive a diploma and it is one of few states that do not allow disability-related modifications on the state tests (Johnson, Thurlow, Cosio, & Bremer, 2005). The state justifies both of these requirements by suggesting that schools should hold all students to the same high standards, so they will be more prepared for higher education and future careers. However, the problem is that many students in New York State do not meet these standards. These students are disproportionately students who fall into disability, low economic, LEP, or racial minority subgroups. This creates a continued gap in access to

post high-school opportunity. In other words, policy surrounding state tests purport to expand access, and yet, in practice, they have been linked to diminished opportunity.

As noted in Chapter 2, Amrein and Berliner (2002) explained that for the states that have instituted mandatory tests as a condition of earning a diploma, unintended consequences persist. In New York State, high-stakes tests became a component of the graduation requirement in 1985. There is strong evidence, however, that increased dropout rates coincided with the institution of the exit examinations (Amrein & Berliner, 2002). Moreover, Johnson, Thurlow, Cosio, and Bremer (2005) cautioned that when states require students to pass high-stakes tests in order to graduate, several consequences may occur including increased dropout rate, fewer students receiving standard diplomas, lowered student self-esteem, and students having to remain in school for longer periods of time in order to meet the graduation requirements.

In 2011 and 2012, New York State made substantial changes to graduation requirements in order to align with standardized content and Regents examinations. These changes are not all in place and they continue to evolve. Diploma options linked to high-stakes tests were an important topic on the minds of participants. Currently three diploma options exist in New York State (for students entering high school during the 2012-2013 school years) including a Regents diploma with advanced designation, a Regents diploma, or a skills and achievement commencement credential. New York State recently did away with the IEP diploma, which has been replaced by the skills and achievement commencement credential. This credential, however, is only an option for students who fall into the 1-2% of students who can take the alternate assessment. Because many students who have disabilities take the Regents tests, but are still unable to

pass the tests, other considerations for an evolving local diploma are being considered. These options will be discussed in depth in the following section, as will vocational options for all students.

Regents diploma. Because of pressures resulting in changes in national and state policy, school districts are forced to work towards getting most students on a track where they would have the potential to receive a Regents diploma. In order to receive a Regents diploma, students must successfully complete 22 units of credits in courses that are deemed Regents level. Also, students must receive a score of 65 or above on all five Regents examinations, which include comprehensive English, global history and geography, United States history and government, mathematics, and science (NYSED, 2011b).

New York State justified its stance on maintaining distinct graduation requirements by co-opting the rhetoric of maintaining “high expectations” for students with disabilities. One oft cited benefit of standards-based reform for students with disabilities is an increase in expectations for students with disabilities, because of their inclusion in the accountability system (see chapter 2). Based on the fact that standards-based reform has been found in many cases to benefit the expectations extended to students with disabilities, the increased “high-expectations” are used as a justification to make more rigid graduation requirements for students with disabilities. However, because separate tracks and a variety of diploma options still exist, these high expectations are not applied to all students.

Alluding to “high expectations” was repeatedly voiced by state level participants as a reason that the standards-based policies should be implemented and linked to

diploma requirements. At the Commissioners Advisory Panel meeting, for instance, a high ranking state employee explained that, “the goal is to get kids a regular diploma. It’s critical that people raise expectations. There is so much work being done that focuses getting students there.” Also, in an interview, State level employee Davern, elucidated her take on how expectations played a role in diploma requirements. She noted that schools continue to have a,

problem with inadequate expectations for students with disabilities and [they maintain] assumptions about the limitations of disabilities that are not real and that need to be overcome... And there isn’t any question that students bring a multitude of problems, some caused by their disability and some caused by other factors, and so there’s just a lot that needs to be dealt with. But I think [we need] a policy that says we need to have high expectations for all students, we need to prepare students for college, for employment,[and] we need to give all students kind of equal access to opportunities.

Embedded in Davern’s discourse is an assumption that if students with disabilities are included in the accountability system, they will gain access to higher expectations and thus, will be more successful. State-level employee, Yunaska, also explained why it is in fact necessary to have the same expectations for all students. He said, “I don’t believe for a minute when urban schools say your expectations have to be lower, because we have a different set of variables to work with.” Yunaska assumed that if you believed student demographic difference impacts achievement, then you do not believe all students can be successful.

Of course, maintaining high expectations for students with disabilities is essential. But there is no evidence that linking standards-based reforms to graduation requirements is the most effective way of getting schools and educators to have high expectations for students with disabilities. In fact, when schools begin to segregate students and create classes with lower standards in attempt to get students to meet graduation requirements, lower expectations persist. Furthermore, the negative sanctions and results of not achieving on the standardized tests are disproportionately harming poor urban schools, students with disabilities, LEP students, and so on. The rhetoric, however, works to explain away the core inequities that persist within American schools.

In order to justify requiring all students to pass tests to receive a Regents diploma, state employees cited statistics that indicated more students with disabilities have passed the Regents examination since 2005, when more stringent requirements were implemented. District-level administrator Skinner explained some of these statistical gains.

I think the initial response was, we got a natural increase in scores...You look at students with disabilities in the State of New York [and] 10 years ago there was about 4,400 kids statewide who got a Regent's diploma that were kids with disabilities. The latest data that came out that I saw at a commissioner's advisory panel was about 18,000 kids. So NCLB, what it did was for students with disabilities no question, that it raised the expectations and standards.

It is not clear if Skinner was accurately citing the gains in terms of numbers of students, but when I looked more closely at percentages, it appeared that there were minimal gains. The state level employees heralded the following statistics at the Commissioners

Advisory Panel meeting as justification for standards-based policy to continue on course. According to the observation notes I took from the Power Point presented by NYSED employees at the meeting, graduation rates across the state for students with disabilities earning Regents or local diploma had increased from 41.2 % to 44.4% between 2003-2005. For the large urban districts in the state, graduation rates had increased from 25.3% to 25.7% in those same years. It is not clear in this data how many students actually received just a Regents diploma, as the data presented was aggregated with both Regents and Local diplomas.

The New York State Board of Regents (2011) cited the rationale for requiring all students to meet the same standards for obtaining a regents diploma in the following way:

When the Regents adopted the more rigorous requirements in 2005, it was predicted that graduation rates would plummet: but the data show an increase, not a decline, in the state's graduation rate. Over that time, a greater percentage of students have received a Regents diploma, with a corresponding drop in the percentage of students earning a Local Diploma. Similarly, over that same period of time, the number of students with disabilities earning a Regents Diploma has gone up, while the number earning a Local Diploma has remained relatively flat. Because this trend (i.e., declining numbers of Local Diplomas awarded; increasing numbers of Regents Diplomas awarded) has occurred at the same time that the phase-in to 65 has been implemented, it is reasonable to assume this trend will continue. ("Phasing Out" para. 3)

Thus, the Regents justified the choice to require all students to take the Regents exams and pass at the same rate because of modest changes (which are not reported in this

memo) in the number of students graduating and the number of students with disabilities receiving regular diplomas. It is feasible that these changes could be attributed to standards-based reform, but they are not necessarily correlated. This small change sits in contrast to the long-term evolution of dropout rates in New York State. Berliner (2002) explains that there is strong evidence to support the fact that after the Regents first chose to tie Regents exams to diploma requirements in 1985, dropout rates rose.

Skills and achievement commencement credential. When the Federal government and New York State both demand that all students deserve to benefit from the high expectations associated with being a part of the accountability system, they do not necessarily mean all students. They mean all, except for approximately 1-2% of students who do not participate in the Regents exams.

Until recently, New York State offered what it called an IEP diploma. Any student with a disability who could not meet the requirements of earning a Regents diploma could receive an IEP diploma. The IEP diploma however was often referred to as a meaningless piece of paper. Post-secondary education institutions and employers understood that the IEP diploma meant the individual had a disability and was not able to meet the requirements necessary for a Regents diploma. Because of these criticisms, New York State recently eliminated the IEP diploma option for students with disabilities. State-level employee, Davern explained why the state chose to move away from offering the IEP diploma:

The IEP diploma was never a diploma. That was the problem with it. The IEP diploma was a diploma in name only. It doesn't represent a diploma that gives you access to the military or gives you access to post-secondary education or

gives you access to any employment that requires a regular diploma. And that's why it's necessary to change it, because there was so much confusion from parents and students that an IEP diploma was actually a diploma. And students left school thinking they had a credential that they don't have. So what we are trying to do is move toward a credential that's much more descriptive in terms of what it represents and it documents knowledge and skills that students have. For an employer, that will give them far more than an IEP diploma ever gave them.

The new credential that Davern is referring to is called the "skills and achievement commencement credential." This new credential is available only to the small percentage (approximately 1-2%) of students who participate in the alternate assessment. Skinner explained:

It's a CTE [career and technical education] and is based on the CDOS [Career Development and Occupational Studies] standards, which is the vocational CDOS from the state level. We have to be careful at the end of the exiting credential [that] there is a... beginner, intermediate, and advanced distinction on your vocational things you're working on. And to me it's only good for those NYSAA [New York State Alternate Assessment] kids, those alternative assessment kids, the 2%... I think what they feel like is, is this going to give them a lot more information on the kids about what their strengths and weaknesses are so they can do a better job matching these kids up with supports post [high school]. They're feeling like it's going to give them a better indicator of about where kids are heading. And I'll tell you parents on that committee from across the state, educators, teachers, they all feel this is good because it definitely is a better

descriptor of what these kids can do and the supports that they need.

State-level employee Hoffman continued to clarify the evolution from the IEP diploma to the new credential.

I think it's really good...I think there are, maybe more than one percent. Maybe three percent, that are significantly cognitively disabled that need that [alternate diploma]. I think that right now we have like ten percent of our kids in there [IEP diploma track]. So you got seven percent that don't belong there. So I think, I think it's a really good move in the right direction... I think it's painful to move in that direction [because] kids aren't prepared. And they aren't prepared because the school districts haven't taken the steps they need to for all of this time.

Hoffman explained that although schools are moving towards using the new credential, the move may be painful as the schools are not yet prepared for such a drastic change.

One goal of this certificate is to provide more information about the student's skills. There is, however, no high-stakes accountability for any of the core academic content for the students who take the alternate assessment. Accountability for these students is based on an entirely separate set of standards, removing them entirely from the regular education track. The creation of this diploma illustrates that the state is not referring to all students with disabilities when they explain the high-expectations necessary for students with disabilities. Furthermore, it is likely that because this certificate is only awarded to students with disabilities, similar problems that occurred with the IEP diploma will persist. Even if more information is provided about students' skills, these students will still not be able to attend post-secondary education with this diploma, especially because it is not related to the content standards deemed so necessary

for entry into institutions of higher education.

Also, it is evident that the state is aligning its educational tracks and exiting criteria with its testing system. This exemplifies how many components of education in New York are revolving around standards-based reforms. The transition plans that students are required to have as they get closer to graduation are only as meaningful as the diploma track they are associated with. Skinner explains the contradiction that exists between transition plans for students with disabilities and the Regents diploma that students receive.

And what about those kids who are MR [mentally retarded], high though, upper 50's, 60's? They're reading at the second, third grade level. They don't qualify for NYSAA [New York State Alternate Assessment]; they don't meet their criterion. So, they have to take the Regent's and if you look at their transition plan--I actually took these to state ed. when I went last week and I said we look at the transition part of the IEP, the first part says Regent's courses, he has to, yada yada, and the last part says goals for future home living. [For instance. "I] want to live with my friends in an assisted living environment." Okay, assisted living versus Regent's, and I said to th[ose] folks, "What do we... [have] in place for these kids?"

Skinner's sentiments show further evidence for how the standards-based reforms are prioritized over the IDEIA legislation (such as transition goals). A student may have a meaningful goal of post-secondary education written into their transition plan, but if they are not on a track to receive a Regents diploma, it is likely this goal will not easily come to fruition. They also may have vocational skills written into their IEP, but they may not

have the option to spend time on those skills if they aren't part of the alternate assessment. Because of some of these issues, the state is in the process of creating another diploma track for students with disabilities.

Local diploma. Of concern to many (including policy makers) is the large group of students with disabilities who are not taking the alternate assessment, but who are not currently able to pass the Regents exams at the 65 cutoff score. There are a significant number of students who fall into this "grey area." The IEP diploma once covered these students, but as that option is phased out, there is great concern that this group of students will be left behind with no exiting option. Nelson, who once worked for the U.S. department of education, explained that there will be a group of students who may lose out if something is not done.

All students, if possible, should be aiming for a general, a regular diploma. So I think that there's a danger in saying, "Okay, this is for all students with disabilities, you know?" But... if there's time in the interim, while they're figuring things out to have some sort of graduation option, a diploma option for kids, it's better than [having the child] come out with nothing. A lot of kids at this point aren't going to be getting a regular diploma.

Longer, a district-level administrator, similarly expressed her concern that the state is, "not really looking at that small pocket of kids who are cognitively unable to achieve a regent's diploma and they have left them like nothing." Because of concerns similar to what Nelson and Longer raised, the state is considering options for how to deal with these "grey area" students. Hoffman explained some options that the state is considering for "the ones who are called the gap area kids or the grey area kids." She said:

Realistically, what happens is they spend longer [time] in high school. The development of some of those prioritized classes has been an attempt to do something for them. I mean, we have in some of our Regents, 11th graders who have no credits or three credits or six credits. You know, not nearly where they should be... [One option they are looking at as] an alternate path... [is] giving a local diploma with a composite reduced score. So, if you take four Regents and your overall score is like a 250--which would allow you actually to fail some and do well on some. That would be a way that you could get your diploma. So that's one thing that is proposed, another thing that's proposed is that you take five Regents, but it doesn't have to be in the five subjects. I mean we have poor little souls that have taken the Global regents like three times. Then they pass the class, but they get you know, like a 53 instead of a 55. So that...says, "Okay, you failed global three times, but you are good in science. Take another science." I think those are good options... I think they make a whole lot more sense.

As explained by Hoffman, the state has considered a variety of options to deal with these "grey area" students. State-level employee, Davern suggested that the state of New York was looking at a variety of, "safety net options to get a meaningful local diploma that represents a sufficient level of knowledge and skills that warrants being called a diploma and being a local diploma." The state seems willing to create a credential to award to students with disabilities who cannot pass tests at the required rate, but they are, thus far, not willing to create alternate pathways for students to receive a Regents diploma.

New York State is phasing out the local diploma in its current form. Students with and without disabilities were previously eligible to receive a local diploma if they receive

a score of a 55 on all five of the Regents exams, or if they pass an alternate series of tests entitled the Regents Competency Examination (RCT). The RCT is being phased out entirely. Because of the existence of a large number of “grey area” kids, the state is proposing a plan to create a new local diploma. At the time of this study, the new local diploma was open for public comment. The board of Regents will vote on whether to institute the diploma in an October, 2012 meeting.

The proposed local diploma would expand the safety net option so students would have a variety of ways to obtain the local diploma. Currently, students can receive a local diploma if they score 55-65 on an examination. According to Slentz (2012), the proposal would extend upon the current local diploma options in four ways for students who:

1. score between 45-54 on one or more of the five required Regents exams, other than the English or mathematics exam, but who score higher than 65 on one or more of the required Regents exams, in which case the lower score(s) can be compensated by the higher score(s);
2. obtain a passing score in the subject area of the Regents examination, in which he or she received a score of 45-54; and,
3. have an attendance rate of at least 95 percent for the school year during which the student took the Regents examination in which he or she received a score of 45-54, exclusive of excused absences; provided that the student does not use the compensatory score option if the student is using a passing score on one or more RCTs to graduate with a local diploma.

Thus, the state has widened the safety net options for students with disabilities so that more students that cannot pass the Regents exams at the required rate still have the option

of obtaining a local diploma. However, a key change in this proposal is that the local diploma will *only* be available for students with disabilities.

During the Commissioners Advisory Panel meeting, the local diploma option was discussed and state representatives made it very clear that this would be an option for students “who cannot receive a Regents diploma because of their disability.” One member of the Commissioner Advisory Panel, who works for an organization that advocates for youth, questioned the decision to only have the diploma available for students with disabilities. She commented that, “in the big picture, we are still giving a diploma that is just for a student with a disability. We have a different expectation level than everyone else because you have a disability.” The state representative responded that, “it would be good to have options for all kids. The decision is at this point, that it is not available to other students, so we work to keep it available for students with disabilities.” Some individuals who work for the New York State Department of Special Education might have agreed that the diploma would be helpful for other students and they succeeded in keeping the option open, but only for students with disabilities.

In a memo from the New York State Board of Regents (2011), the state explained the rationale behind the elimination of the local diploma option for general education students:

Recognizing the need to better prepare students for the global workforce, the Board of Regents adopted more rigorous graduation requirements in 2005. Specifically, the Board passed regulations implementing a phase-out of the Local Diploma option for most general education students; those students would, instead, be required to pass five Regents exams (in mathematics, science, English,

U.S. History, and Global History) at a score of 65 or better and earn all of their required course credits. Students passing the five exams at 65 or better and passing all of their required coursework, will earn a Regents diploma. The local diploma will continue to be an option for students with disabilities. The Regents are considering additional changes to expand the safety net options for students with disabilities. (“Phasing Out,” para. 1)

By using the rhetoric of “increasing rigor” and competing in the “global workforce,” the Regents justified the elimination of the local diploma for general education students.

In a New York Times article, the proposed changes to the local diploma were discussed (Phillips, 2012a). Commissioner, John King is quoted as substantiating the decision to eliminate the local diploma option for regular education students in order to “increase rigor” (para. 5). The article also suggests that according to Kim Sweet, the director of Advocates for Children, the proposed options are too restrictive:

“Why do you only get a safety net if you’re a student with a disability?” she said.

“There are also general education students who can’t pass certain tests. The difference is one has a label and one doesn’t.” Ms. Sweet’s organization has estimated that if students had been unable to earn a local diploma in 2010, as many as 14,000 would not have graduated within four years, a figure that could do damage to the state’s rising graduation rate. (Phillips, 2012a, para. 10)

Clearly, harm will be done to students across the state if it is decided that only students with disabilities can receive the local diploma. Furthermore, this choice will harm both students with and without disabilities. Many students without disabilities will not graduate at all if this choice is made. Also, it is likely that as the local diploma becomes

associated as a diploma for only students with disabilities, it will become as stigmatized as the IEP diploma. Thus, the local diploma has every possibility of turning into the “ticket to nowhere” that the IEP diploma was once criticized for.

Another concern with eliminating the local diploma option for regular education students is that it will disproportionately harm students who are black, Latino, and ELL. Advocates for Children of New York (2010) released a document responding to inequities that would be incurred if the local diploma option is taken away:

In the graduating class of 2009, 61.4 percent of students statewide received a Regents diploma or Regents diploma with Advanced Designation, while 14.5 percent of students received a local diploma. However, that same year, only 21.7 percent of English Language Learners (ELLs) received a Regents diploma, and 43.7 percent of ELLs received a local diploma. Similarly, just 22.1 percent of students with disabilities received a Regents diploma, with 47.5 percent receiving a local diploma. The gap between Black and Latino students receiving Regents diplomas compared to White and Asian students is also significant. In 2009, 75.3 percent of White students and 73.4 percent of Asian students received a Regents diploma, while Black and Latino students each had a 40.1 percent graduation rate with the Regents diploma. Even more disturbing is the graduation rate for Black males. In 2008, only 25 percent of Black males graduated with a Regents diploma, compared to 68 percent of White males. (p. 4)

These data show that for many groups of marginalized students, there are a variety of obstacles present, which make it difficult to receive a Regents diploma. If the state eliminates the local diploma option for all groups of students except those with

disabilities, they will disproportionately harm ELL students, and Black and Latino students, and will cut off an important pathway for them to receive a diploma. Furthermore, many students with disabilities will not benefit from the high expectations touted as a rationale for including them in the accountability system, because the diploma allows for a significantly different set of criteria.

State-level employee Hoffman further warned of the limitations faced by students with disabilities who do not obtain a Regents diploma as they exit high school:

I can tell just from experience, from working with kids and working in the field, if you have a Regents diploma, you can go to any kind of college to want to. If you have a local diploma, especially in the last few years, it means you are a student with a disability...so the anonymity is gone. I don't think most colleges, most four-year colleges, will take you. I think a two-year college will take you. What I've seen is they'll say to kids, for this first semester, you'll take three remedial courses. Remedial math, reading English, remedial writing--for no credit, but you still pay. If you pass we'll let you come in, and that's usually the two-year colleges, two year state schools. I think...two-year community colleges do more for our some of our kids with disabilities than anything else. They let them in--sometimes they don't make them take those prerequisite courses, but they will give them a counselor right away to say, you know, this person is going to help you stay on board. And if the child can achieve from there, they can go almost anywhere. But I think for most of the students with disabilities, and going into the work force with just a high school diploma, is you are going to be working at the Quick Way [convenience store], because there is not a lot of options out there.

In other words, the type of diploma that students receive largely determines their inclusion in society as they transition out of high school. Narrow and stringent diploma options preclude many students with and without disabilities from having the option to enter into meaningful post-school lives. Also, many participants criticized the lack of options available to train students for employment, outside of the academic common-core subject areas.

Vocational options. Unfortunately, many participants worried that there were still not enough options available for many students to enter into post-high school opportunities. One major concern that participants had was about the lack of vocational options available for students.

Some minimal options do exist for students with and without disabilities as they relate to vocational programming. Students may receive Career and Technical Education (CTE) endorsements, if they complete a series of courses related to a specific vocation. This option is an extra endorsement, however. Students must still pass examinations to receive the endorsement. Moreover, the CTE does not replace a diploma, but is attached to any of the existing diploma options. According to interview participants, the availability of these vocational options has been considerably diminished in recent years and is not an option for many students. Of the tests associated with the CTE endorsement, school-level administrator, Allan said of a test she saw for a plumbing endorsement, “I would never pass that ever, ever. It was really hard. And I had to sign the thing that said I wouldn't cheat. I was like cheat, are you kidding? I don't know how to put the plunger in the toilet.” District-level administrator Brantler also explained that the vocational

programs that are still available are not easy for many students in Springertown to get into.

I think we did have some promises that when the tech was reborn that we [would] have this great vocational program but, somewhere along the way it took this turn of becoming elites. It's elite. You have to interview to get in and they don't have ESL programming, I don't think they have special ed. I think they have resource. So you're really limited.

Although some vocational options continue to exist, these are limited. For many students with disabilities, meaningful opportunities to learn vocational skills are not available. However, students who take the alternate assessment are tracked into a separate set of standards that are regarded as vocational. These vocational standards are only available for 1-2% of the population of students with disabilities, substantially lowering the expectations and opportunities to develop skills that these students will need. Furthermore, the vocational skills available on this track are not similar to the intensive vocational programs that result in the CTE endorsement.

Many participants criticized the decrease in the amount of vocational options available for students with and without disabilities. Because the agenda trickles down from the federal government, states profess that if all students are competent in the common core subjects, then they will become “college and career-ready” and will subsequently be able help the United States compete in a global economy. Because of the trajectory of this line of reasoning, the conclusion is that (almost) all students should have the same academic training. State-level employee Hoffman made it clear that: “If you are going to get the regular diploma, you have to take the five Regents. So you know, I don't

know how relevant the five Regents are to everybody.” And at the Commissioners Advisory Panel meeting, a participant commented that vocational options are important to discuss because it is necessary to consider, “what are a variety of appropriate pathways for a child to receive a diploma. Should it be strictly an academic diploma, should there be a diploma option that recognizes other skills?”

Many participants were concerned that if all students need a diploma to obtain employment status, and at the same time all students are trained the same way, this will harm the future opportunity for many students while simultaneously limiting the skills necessary to have a functioning society. Brantler explained that,

what happened is that when the state got rid of those [Vocational programs] they said that everybody has to go and sit in chemistry and physics...Our kids all non-special ed. or special ed., don't seem to have that same options. It just leaves less options for all kids because every kid is not going to college.

Also district-level administrator, Lather predicted that,

the trend now is you see vocational programming going away and so we will have a big decent chunk of the population who are going to leave high school after having been in school for 18, if they're 19 years old, coming out with nothing to show for it at all.

So, as the vocational options are eliminated for students, fewer and fewer options exist for students to enter pathways, which might lead to meaningful employment but are not solely focused on the achievement of core academic skills.

District-level administrator Skinner also provided an example and questioned what will happen to our society as the emphasis changes to just academic skills:

I was reading the newspaper last weekend and I think it was the town of [Springerville] or something like that--the three gentlemen running for mayor...two of them didn't have a college degree, one of them I think didn't even have a high school degree. It was very interesting... [the men were] in their 50's, 60's. But one was a welder...he's got this great profession. He did well but he became an apprentice. It never mentioned a high school diploma. Another one, I think got into a trade school out of the military. I mean it was very interesting to see. Will those stories exist anymore? Because, we are not valuing other ways of contributing to society and being successful. I mean, you may not be able to read at this level, but boy you might be unbelievable with your hands. And you could look at an engine, take it apart, put it back together and it runs. I mean you don't need a book to tell you that. You've got this mind that can do it. That's the piece--where are we measuring those kids? I just thought that was interesting to look at those three candidates. Nowadays they wouldn't even, you know, and they're in that last vintage [age of] 50s, 60s. What happens when our kids right now, when they're 10, 50, 60 years from now, would they be able to do the same thing if they struggled academically? I mean it would be very interesting to see. Is all this going to change what we're doing now, 50, 60 years? I don't know... they had the option of going out into the world of work and not completing high school. They had the option of going into factory, they had the options of agriculture, they had those options. We don't have all those options...I think all kids have to have the opportunity. But we put it all in as saying "okay everybody is going to get the opportunity," but we're not putting a range out there.

Skinner, thus, expressed his belief that society would be harmed if vocational opportunities are eliminated. As students are unable to receive high school diplomas without successfully mastering academic subjects, fewer students are able to navigate through high school and beyond.

State-level employee, Hoffman further elaborated on what she saw as the problem with eliminating vocational options. She explained that she has nieces and nephews who went through the British system, where there were a variety of vocational options available. She recalled that her niece went to a performing arts school, her nephew went to an elite academic university, and her other nephew went to a technical school to learn about farming. She noted that,

it's not like it is here, where it's like a lesser thing. You know, it's perfectly logical... it's not like here where we stay with the same kids all the way through and they all have to do the same thing. Diversity is okay.

She also said she thought we had to create some pathways for kids who would not excel in the Regents subject areas.

Like I don't know that the five regents is the answer to everything you want to do in the world...We need to re-adjust some of the vocational training for kids, because it's a different world and there are things that are interesting, you know, it doesn't have to be stocking shelves or teaching college--there is this not a whole lot of stuff in the middle. There's a lot of those in between, semi-professional skills, like dental hygienists, and certain kinds of receptionists, and medical technicians. There's nowhere to go for that. You have to get through college, you have to get your standard diploma, get into a standard college and I think they,

you know I think our [special education] kids have a lot to contribute on a lot of those levels. And they need to stop sending them to adult day care.

Hoffman contented that there were not enough options available for students who may excel beyond the academic subjects focused on in the Regents. The pathways to excel in vocational fields have been taken away from many students and if students are not proficient in the core academic subjects, then they may not be able to excel after graduation. Such lack of options also disproportionately effect student who are ELL, who are Black and Latino, who are poor, and who have disabilities, as these are students who are in many ways cut off from receiving Regents diplomas.

There is, however, a delicate balance to consider when discussing vocational and diploma options. It is necessary that students with and without disabilities have the opportunity to receive a diploma that will allow them to meaningfully participate in society. Students should never be tracked into vocational programs, nor should these options be considered less meaningful options. Instead, more options need to exist for all students. If diplomas were not linked to tests, then a variety of pathways for all students could be opened. This would significantly improve the graduation opportunities for many students, while simultaneously influencing the inclusion of students with disabilities during school, and in society.

Current standards-based policy negatively affects the lifelong opportunities for many students. It is not surprising that graduation rates continue to be low in large urban districts that have diverse demographics. It is also not surprising that the outcomes for students with disabilities continue to be dismal as they transition from school into their adult lives.

Conclusion

Based on the data collected about programming at both Westvale and across Springertown School District, a variety of themes emerged as important to understanding how standards-based reforms were having an impact on inclusive education. The first theme explained the importance of dedicated leadership in effectively implementing and maintaining inclusive education. Inclusive programming is possible and even necessary to achieve standards-based reform. Yet, these reforms, despite their rhetoric of insisting that all students have access to core curriculum and high standards, often perpetuated an assumption from administrators and teachers that segregated placements were necessary. Yet, if schools adopted inclusive practices there is a myriad of studies that illustrates students will excel academically (Baker, Wang, & Walberg, 1995; Fisher, Roach, & Frey, 2002; Giangreco, Cloninger & Iverson, 1993).

If Westvale is representative of other large urban districts, standards-based reform often motivates schools to institute ability grouping and pull-out instruction. Standards-based reform policies such as RTI and instructional requirements for ELL students lead schools to increase pull-out instruction. Also, as students with disabilities fail to meet AYP requirements, educators assume that if students spend more time remediating their deficits (through pull-out instruction), their test scores will improve.

In other words, standards-based policy perpetuates the ideology that if students are not performing at grade-level, they either need to either remediate their deficits or be segregated. Students are often tracked into leveled instruction in elementary school and rarely do these students leave ability leveled tracks. Because of the requirements of Regents tests, schools are led to believe that they cannot offer students high school course

credits if content is substantially modified. Springertown has responded to these dilemmas not by expanding their commitment to inclusion, but by creating a new track of self-contained courses for students with disabilities.

As students move through school in distinct tracks, diploma options also tighten, eliminating the possibility for many students with disabilities to be prepared to graduate with a Regents diploma. Unfortunately, even if standards-based reforms are pushing schools to include students with disabilities as part of the regular education content, schools are not necessarily providing this instruction in inclusive environments. Standards-based reform seriously threatens to harm the hard fought inclusion of students with disabilities, especially for students who also are LEP, poor, and non-white, and who attend a “failing school.”

Chapter 6

Priorities and Implementation Strategies of Standards-Based Reform

This chapter expands upon the research I conducted at Westvale, and looks more broadly at standards-based reforms policy priorities and the strategies that are used to implement standards-based reforms in failing schools. In chapter 6, I build off of the previous chapters and continue to explain how standards-based reforms impact the inclusion and equitable position of students with disabilities in schools.

The first half of this chapter looks in-depth at the specific practices that standards-based reform requires, and uncovers how students with disabilities who attend urban schools such as Westvale, are impacted by these policy priorities. The second half of this chapter explains how standards-based reforms policies are implemented, and how students with disabilities who attend poor urban schools fit into the broader policy picture.

Policy Priorities of Standards-Based Reform

In the first part of this chapter, I look at some of the priorities expressed through Race to the Top (RTTT) and the blueprint for reform including raising standards, using assessments to track student achievement, implementing teacher and leader evaluation systems, and general accountability. I focused particularly on these policy priorities because they were the ones that came up most often in my data. To set context for my research, I begin each segment of this section with a quote from the “Blue Print for Reform” (U.S. Department of Education, 2010). This provides a way of juxtaposing the “official” position on national standards-based reform priorities to the ways that my

participants understood and explained the policy priorities. I then explain how the priority is viewed locally by interview participants.

Raising standards for all students. We will set a clear goal: Every student should graduate from high school ready for college and a career, regardless of their income, race, ethnic or language background, or disability status. Following the lead of the nation's governors, we're calling on all states to develop and adopt standards in English language arts and mathematics that build toward college- and career-readiness by the time students graduate from high school. States may choose to upgrade their existing standards or work together with other states to develop and adopt common, state-developed standards. (U.S. Department of Education, 2010, p. 3)

Most participants in my study heralded the general idea of a Common Core set of standards. Participants, who praised the implementation of the Common Core, reported being pleased with the concept of a consistent set of standards, so that students can be accurately compared across geographical areas. For example, school level employee, Davis, noted that the Common Core is positive because; "it's good to have a measure that's common across all the schools in the district, all the districts in the state." School-level administrator Kroger, who was critical of most standards-based reform policies stated that the Common Core is a good idea because, "when we have these transient kids come from Florida [or] come from another one of the 47 states that are involved in this Race to the Top, they'll have had the right education if they follow the Common Core. So that will be good." Skinner, a district-level administrator, also discussed the need for the Common Core:

In our Constitution it's like states are responsible for their education. Localities are responsible to have 700 plus districts and everybody writes their own curriculum. That makes a lot of sense, [seems like sarcasm] because, that's what we've always done. But at least if you're in Long Island or here [in region x of] New York, you're getting the same core set of standards and your test is going to measure you, evaluations going to measure you, so it's more of a fair assessment. Also, district-level administrator Klosner suggested that "it's a waste of time and money not to have a national curriculum." As a group, participants seemed to believe that moving towards a Common Core set of standards is logical; however they also brought up concerns about the increased standardization of content.

Particularly, participants expressed fears about what emphasizing Common Core areas would mean for subjects-areas not highlighted in the Common Core. Currently, the Common Core includes only ELA and Mathematics. Because these subjects are being emphasized in the standards and in high-stakes testing, participants expressed concern that other subject-areas and non-academic aspects of school would be devalued. As noted in chapter two, this unintended consequence, often referred to as the "narrowing the curriculum," has been a well-documented result of NCLB legislation (Christensen, Decker, Trizenber, Ysseldyke, & Reschley, 2007; Crocco & Costigan, 2007).

One participant experienced the brunt of the narrowing of the curriculum head on. As an art teacher at Westvale, Baron was laid off because the school decided to cut back on the art program. Of the cuts in arts, he commented that,

[Baron]: definitely this year as far as, you know [a high school] was starting to the do the focus the visual arts and then they cut back on that... But definitely this

year a lot got cut overall, but arts got cut pretty deep.

Jessica: And what do you think the reason that art is the one being cut?

[Baron]: I think it's just sometimes thought of as something extra and not really valuable to the students overall learning...[and]I do disagree with that. Also, if the student students have a homeroom, you know they need to be there. So, it's kind of hard to cut from where they're to be. But if they're only with us once a week, you know we figured it out, some of the students only have art for 20 hours a year. Then you can see why they might get rid of that a little bit.

Thus, in the push for a Common Core, the arts were not prioritized. During his final year at Westvale, Baron was working part time as a co-teacher for an ELA class, even though he was only certified in art education. He also explained that with the focus on the Common Core and the time that the tests take away from instructional time, he would not see students very often anyway. With the school under such intense pressure to improve test scores, subject areas that are not part of the accountability system were not prioritized.

Another example of the over-emphasis on Common Core subjects was highlighted by special education teacher Songer, who said:

The scores were so low and everything was big math, ELA-math, ELA-math. The way the day was planned there was very little time for content unless you tried to squeeze it into reading somehow. And, yet, they had you structured on what you were doing for reading. So it was very tough.

When content is standardized and high-stakes examinations are attached to those content standards, schools feel that they must concentrate on those areas that they will be held

most accountable for. This occurs because educators and school administration try to avoid the negative sanctions that result from not performing well on Mathematics and ELA tests.

Another example of the way that leadership at Springertown School District was thinking about curricular priorities came up at a Special Education Parent Teachers Association Meeting, which the current superintendent also attended. A parent discussed how their child values recess and how having that outlet helped their child to learn during the rest of the day. The parent was regretting the fact that at her child's school, "they only have 15 minutes of recess now, and [Morningdale K-5 school] has none." In response to this complaint, the Superintendent explained that there is a "need for parents to advocate for longer school days. The Board of Education can say it too. We can't fit all the core subjects in and get them recess. [You] always lose something when you try to focus and get everything into the day." Research states that a longer school day has not been found to be beneficial for student achievement (Evans & Bechtel, 1997). Yet, instead of working to keep important components like recess and the arts in schools, the superintendent suggested that lengthening the school day should occur.

In terms of prioritizing ELA and Math, it arose at the Springertown School District budget meeting that amidst all of the budgetary cuts that had been occurring, which included laying-off a variety of employees, each school was going to add a math and an ELA instructional coach to help roll out the Common Core standards. At the same time the district was cutting Academic Intervention Services staff, whose job it was to help struggling learners. One parent, who was a strong special education advocate, questioned this choice during the public budget hearing. She claims that it was her,

understanding that AIS [Academic Intervention Services] were for students who weren't meeting the standards; how can these new coaches replace the needs of those students? This is a new process and a new superintendent, but I'm not sure it makes sense to transform the AIS staff with math and literacy coaches who don't address the needs of struggling learners.

These examples indicate that the subjects, programs, and staff that support the initiatives of standards-based reform are prioritized in schools, while other components that may be valuable, but don't meet the end goal of improved test scores are unfunded or eliminated.

Standardized content. Also contested by participants in this study is the idea that using a single, grade level standard was appropriate to understand the ability of learners, particularly diverse learners. The underlying assumptions of a standardized curriculum are that students will progress in a linear, step-by-step format through a series of skills until they can be deemed masterful of grade-level content. This linear view reifies definitions of normal development and does not necessarily support the success of students with disabilities (Ferri & Bacon, 2011). This is because many students with disabilities develop and exhibit skills in non-linear and non-normalized manners (Kliewer & Biklen, 2001). Furthermore, many students who have high-incidence disabilities are labeled because of difficulties in reading or math, the two subject areas that are prioritized in the Common Core. Approved accommodations are not always adequate in mitigating the discrepancies that exist for students with disabilities and a variety of participants reported that when only certain subject areas are focused on and only certain methods of proving ability are accepted through examinations, many aspects of student strengths and abilities are overlooked.

District-level administrator, Klosher, for instance, was critical of the assumptions embedded in the standardization of content:

Here's what kills me... In any other thing, we wouldn't say that you have to run as fast as I have to. We'd never say that in, that now everybody comes to gym class and everybody has to run a 10 second hundred. People [would] say, "You're out of your mind." And, they never say, "Well, you're right, 10 seconds doesn't make sense, so will make it 20 or will make [it] 30, so everybody can do it. They say, "What are you doing with the great performers?" But, in the field of academia, we've never questioned having a single standard as the measure. And so once you do that, you've really trapped yourself into doing things that don't make sense.... You know, we've created our own problem and now we have a stupid solution to a problem we created ourselves. I do think that it has challenged people that they can't use common sense anymore.

Klosher explained some of the core problems with the ideology embedded into standards-based reform, and more specifically with using and testing the Common Core. He questioned the idea that everyone must know the same thing and then present their knowledge in the same way. He also worried that by having just one component, one standard, and one way of measuring the standard, we would miss the value in student difference. He also pointed out the ways that the assumptions behind standards-based reform don't necessarily make sense.

Another issue that was discussed by participants in relation to the standardization of content is that when students can't successfully exhibit ability in a particular skill, a common assumption is made that the student shouldn't be able to move on to other

content areas, or to more difficult concepts. This phenomenon was explained by inclusive education teacher Handley:

I suppose we were trained in... following a linear path in terms of, “Okay, if you have this skill, then you’re ready for the next skill and next skill and next skill.”

And, often, teaching in urban populations, hence in my case urban population and English language learners, you will say oh my goodness, but they don’t know this--this is the basic [skill]. And, then you prevented yourself from exposing them to an array of other concepts and opportunities that they were probably much [more ready for] than we [thought].

The Common Core sets up sequenced step-by-step guides for students and it contributes to the assumptions of many teachers that students should not move on if they don’t have the “basic” skills. A parent also brought up this issue at a Special Education Parent Teacher’s Association meeting when she said that a teacher was teaching her child skills, “without really assessing and evaluating where his skills fall.” She went on to say that her child was, “not just behind, but has a scattered skills set. At home we know he can do five plus two, but he can’t communicate this in school.” This shows how a parent, who does not rely on a step-by-step curriculum, knows that her child has a variety of skills. However, these abilities are not tapped into at school either because of the child’s communication difficulties, low expectations, or a belief that children develop skills in a linear fashion. With this thinking, some students who might excel in activities that include higher level skills may never be offered the opportunity to access the more advanced content.

There are a variety of ramifications for individual students based on the standardization of content. State level employee Yunaska, explained what happens in many districts:

Especially [in] urban districts, by the time children get in seventh grade and now they're heading for, their history is going to be that they're probably going to drop out, because they're not going to be able to challenge the curriculum, particularly with the most challenging skills with Common Core...So if programs move away from continually providing skill development like adolescent literacy skills, then you're going to see that in your dropout rate. So then we say, "Well, the dropout rate one would assume is a high school indicator." It's really not just the high school indicator. It starts when children are much younger. That's just manifesting itself.

Yunaska explained that students must have basic literacy skills to succeed in the Common Core and, if they enter higher grades without these skills, the result is likely to be an increased chance for dropping out. Because of the focus on these skills, teachers, administrators, and state level policy makers feel they are doing a disservice to students if they don't focus on providing basic skill sets to students, so they can be successful on examinations. Students with and without disabilities thus miss out on a rich, engaging, strength-based curriculum.

In the policies, and in advice about how to teach the Common Core, it is said that the Common Core isn't meant to dictate exactly what or how teachers teach. In the introduction to the document outlining New York State's Common Core standards for

ELA, written by Council of Chief State School Officers and the National Governors Association (2010), the following comment is made:

The Standards leave room for teachers, curriculum developers, and states to determine how those goals should be reached and what additional topics should be addressed. Thus, the Standards do not mandate such things as a particular writing process or the full range of metacognitive strategies that students may need to monitor and direct their thinking and learning. Teachers are thus free to provide students with whatever tools and knowledge their professional judgment and experience identify as most helpful for meeting the goals set out in the Standards. (p. 2)

This explanation shows that teachers should have the option to choose which strategies they feel are most appropriate for their students. This offers the opportunity for teachers to choose teaching methods that work well for students with disabilities such as universally designed instruction, differentiated instruction, and culturally relevant teaching. It is unclear however, whether the standardization of content actually promotes the use of these teaching strategies in practice, partly because of the pressure for students with disabilities to excel on state exams.

Better assessments. We will support the development and use of a new generation of assessments that are aligned with college- and career-ready standards, to better determine whether students have acquired the skills they need for success. New assessment systems will better capture higher-order skills, provide more accurate measures of student growth, and better inform classroom

instruction to respond to academic needs. (U.S. Department of Education, 2010, p.3)

In this section I investigate how participants in this study view high-stakes tests that are aligned to the common core. In New York State, these assessments are called the “Regents Exams.” Students are given annual examinations starting in grade three. The state has aligned the Regents with the federal requirements of NCLB and to the recommendations of RTTT. The use of the examinations is an important and controversial issue for students with disabilities. This section discusses norm-referenced and criterion-referenced examinations, issues around teaching to the test, how students with disabilities factor into testing, and are given accommodations.

Norm-referenced and criterion-referenced examinations. Currently, two general types of tests are used in schools to measure student achievement. The first are criterion-referenced assessments, which relate what students know and can do in comparison to the academic standards of a subject area. The other types of tests, originally created by psychologist Robert Glaser, are norm-referenced tests, which compare achievement to a nationally represented sample of students or norm group (Zucker, 2004). In norm-referenced tests, a percentage of students must score below the norm, and an arbitrary cutoff is usually determined to label who is failing. So in a norm-referenced test some students must fail, no matter how well all students do.

Race to the Top calls for the use of criterion-reference tests and New York State utilizes criterion reference tests, which theoretically allow for the possibility that all students could pass. However, as noted by Linda Darling-Hammond (2007), “criterion-referenced tests also use an underlying norm-referenced logic in selecting items and

setting cut-scores” (p.249). This logic is perpetuated in the ranking of schools (Kohn, 2004). RTTT legislation and New York State Waivers call for states to focus on turning around the bottom 5% of schools. This uses normed logic, as some schools that do not perform well on tests must fail and be restructured.

Also, assessment systems are not structured so that all students succeed and this strongly impacts the recorded achievement of students who fall into particular subgroups. Skinner, who sits on the Commissioners Advisory Panel for the state explained the norm-reference logic the state uses. He clarified, “You can’t have all the kids fail the test, so they set the score after they see all the scores. Oh alright, that’s going to be the cut now. It’s interesting. I mean I think it’s a lot of dynamics.” As noted by Skinner, the state has changed the ways that the scores and the accountability system operate several times since NCLB became law. Kloser pointed out that the state keeps “changing the test and the score that counts to the test.” These decisions are made based on how many students are succeeding or failing the tests, maintaining the normed logic. This has most recently come to larger attention in Florida. When the state decided to raise standards, and increase the cutoff score, many students failed. Now the state is backtracking and lowering the cutoff score (Gonzalez, 2012).

One other way that norms find themselves embedded in criterion reference tests is in how the for-profit companies who create the tests decide on test questions. Pearson, who has a \$32 million dollar contract with the Regents, has recently been cited for test errors appearing on the 2011-2012 school year examinations, many of which related to Braille and translation mistakes (Christ, 2012). When selecting which questions the company will use for tests, they are “field testing” questions to choose for the Common

Core (D'souza, 2012). When test makers are field testing, they look at the score spread, (or how many students get any one question right or wrong) if it is out of balance in either direction, the question is deemed invalid and is likely thrown out (Popham, 2005). Many issues arise here. First, questions testing students who do not speak English or who have disabilities are more likely to be inaccurate, which means these students will be more negatively affected. Also, the norm-reference logic permeates the testing industry as they select questions, because the goal remains for some students to fail.

Overall, when the logic of norm-referenced testing permeates thinking about test questions, test scores, and school ranking, it is inevitable that some students and some schools will be failures while others are winners. According to Brantlinger (2006b), the system is purposely set up so that certain students will fail and others will succeed. Also, disability studies scholars describe how the ideas that come from norm-referenced testing have historically contributed to the very creation of disability categories (Davis, 2006). As the stakes attached to achievement tests heighten, so do the implications for students with disabilities.

Teaching to the test. Another concern participants brought up is that teachers often feel that they need to teach to the test. Although related to the narrowing of curriculum discussed in the prior section, teaching to the test typically manifests itself in large amounts of time being spent on actually teaching students test-taking strategies. Prior teacher and current school-level administrator Brantler, reported being frustrated by the Regents. She argued that the best answer is to,

Just throw out the Regents; let's just not take the Regents. Instead; we are so busy trying to teach to the test, make sure kids pass...because that's what they want to

see. So, you sort of have to perform that way. We, maybe we, should just boycott the whole Regents.

Veteran teacher, Davis, shared a similar comment regarding how teaching to the test is often a reaction to high stakes exams: “There’s a lot of pressure that teachers are putting on themselves to make sure that kids pass this test. The test is two days out of 180 that you’re teaching. So it seems kind of counter-productive in my opinion.” Also, Curry, an instructional coach at Westvale noted that teaching to the test is not necessarily best practice, but, she claimed, “On the flip side of this, you kind of want some people to do a little bit of test prep with their kids because we’re in a hole and if we don’t get ourselves out of it they’ll close us.” All of these educators acknowledged a contradiction that the tests present. In order to have students be successful, there is some degree of teaching to the test necessary. But at the same time, these teachers don’t think that teaching to the test necessarily represents best practice.

Davis, who recently transitioned from being a teacher to an instructional coach, described how this contradiction played itself out in practice:

I think that the idea of shifting your thinking from teaching to the test, which I really often felt like that’s what I was doing to teaching, in an effort to prepare them for the tests, which doesn’t sound different, but it is. Like I can teach you how to take this test and we can practice this test in this format, and we can repeat it over, and over, and over, and over so that when the test is in front of you, you know what to do. Or I can teach you literacy skills and comprehension strategies and I can frame things in a similar way that you might see on the test and mix it up, and you know really kind of differentiate your instruction so that when the test

comes in front of you, you say, “Oh, I knew this.” So I guess that’s where I think there’s a difference there. I’m not sure that teachers have really like mentally grasped that difference yet. I think they’re still worried about teaching kids how to take that test--how to pass that test. [They think] my job is on the line, now especially.

Thus, the amount of time spent teaching to the test is not necessarily best practice, but in the high-stress climate created in failing schools, teaching to the test is often what occurs.

According to the state-level policy makers, teaching to the test should not be an instructional choice made by a teacher. At the Commissioners Advisory Panel meeting a high level state employee communicated what kind of instruction should happen in response to the Common Core and the testing system:

The point everyone is trying to make is that if you do good instruction on Common Core and the shifts in terms of looking at non-fiction, applied analysis, greater depth. If you teach to those, you won’t have problem with the tests. You don’t have to teach test taking skills, you have to teach how to think. It’s far beyond, “Can you recall the year of a war?” [It is,] “Can you understand around conflict, pros and cons of conflict, how to resolve conflict?”

Similar to the states position on teaching the Common Core verse what appears to be happening in practice, there is a clear contradiction between what is deemed best practice and what happens when teachers feel pressured to pass tests. These effects appear to be exacerbated when schools are labeled as failing--teachers (and some school-level administrators) feel that some test preparation is necessary so that the negative ramifications of the policies do not occur.

Tests not fitting students with disabilities. Many teachers also complained that tests do not adequately portray the abilities, growth, or knowledge of students with disabilities. For instance, According to Kroger, a school-level administrator, “The tests are not fair, not valid, nor reliable.” Many students at Westvale, who have special education labels, also do not speak English as a first language, which according to many participants, made the tests less valid. Songer, a special education teacher, had a great deal to say about the tests. At first, she described positive and negative aspects of the tests:

Something that happened, I think is a little crazy, is the kids being tested--If you're in third grade, you're tested at third grade level. And, it's just so crazy to stick that third grade test in front of a kid who reads at [a] first grade [level]. It's so, it's just demoralizing to them so we try to give them strategies, “Do what you can, blah, blah, blah.” But, you know, I think it really... gives a little more urgency though to teachers to boost them up as much as they can. It really is a sense of urgency and that's what we've talked about this year in school, it's that sense of urgency. It's not just enough to have kids make a year's growth when they are two years behind. We want more than that. We want that sense of urgency. It has to happen now, you know. It can't just be this slow, “They'll get there when they get there,” which has been a nice change.

Thus, there are very real challenges which testing students, who are behind in grade-level reading standards, present. At the same time, Songer's comments illustrate that special education teachers are more urgent about improving the scores for students, and the urgency has benefits. This sense of urgency is related to increased expectations

(Thompson & Thurlow, 2001) that are often cited as a benefit of including students with disabilities in the accountability system.

Songer continued, however, to describe the challenges that are present with testing students with disabilities:

If you're giving a reading test to a kid that reads at first grade level--I mean, I have a girl now who is in here who's getting Wilson and she has a really hard time. Like, she'll say "cu-at" and then she'll call it map or something. So, I mean, not even that ability to really blend sounds. I don't know, how, what is it testing? Do you know what I mean?... I don't think anybody agrees with it and every year we complain to ourselves, but the state, I don't think is going to change it any time soon. In a way, I understand why they are doing it because they want people to get the kids up, but what about the kids who aren't there yet? Especially if you're going to test kids at third grade, you know, because there are a lot of kids in third grade who are not on level in reading. I don't know, I guess I don't think it's fair. I don't think it's very, what's the word I want to say? I don't know what it tells us. What does it tell us? I mean it's kind of a waste of time and it makes them feel bad... So, again, we have kids who just came into this country. I think if they had been here a year, they have to take the test. They just learned the language and they're not on level in reading. They're not even close to being on level.

In other words, there are real contradictions that special education teachers experience when having to work to get students with disabilities to pass tests. When the teachers perceive that a student is reading below grade level, they believe he/she will not be able

to pass the test. The tests, however, must be given at grade level, causing what was described as a frustration for teachers and students alike. Clark, who is a speech pathologist, also elaborated on this problem:

I work with all of the self-contained students and, you know, I work with [them] all day now. So how is that self-contained teacher [going to help them pass the test]--where all of those kids are at a kindergarten or first grade level, but she's getting them in the fourth grade ELA. They are never going to [pass]; you don't have to give them the test. We can tell you right now. I think the biggest frustration is, and the same with me, why can't we do portfolio[s] to show in September, they couldn't do A,B,C, and D, but they could do this. They couldn't read any of these how they were, but now they can. They can't take the tests... They can't read. I work with all of those kids, I mean, out of my 36 kids, 30 wouldn't pass. I mean, but are they making progress? Yes. But they are not... but then the next year they'll take the fifth grade one and now they're in a first grade level, it's, it's hard.

As Clarks' comments attest, she is certain that students *do* make progress, but that progress is not evident in the state tests, because of the reading level discrepancies. The way that progress and student learning is documented through the standardized Regents exams is not indicative of student growth.

Special education teacher, Johnson also commented on the inability of the state test to show student growth or progress:

It all comes down to two days, three days, four days, however long the test is. And it's a very unfair snapshot of certain kids, because I've seen kids that I've spent a full

year with in special ed. that have made a tremendous amount of progress. But, it's not the progress you're going to see on that state test, because it was progress, "I was able to read on a first grade level when I first got into this classroom. Now, I'm a mid-second grade level reader. But you just handed me the fourth grade test and I got a one on it and it looks like I didn't do any better than I had done the year before."

Thus, teachers experience a dilemma between keeping high expectations for students with disabilities and what many teachers see as an unfair testing system. Teachers feel that students with disabilities should have the same opportunity as other students to show their ability, but they also see the tests as inaccurate portrayals of ability. This dynamic was also elaborated on by Lather who was a special education teacher for many years, and is now a district-level administrator:

When you have a child who you've tested... and he's functioning at about third grade and he's in sixth grade, they're mandated to take the sixth grade curriculum test as opposed to the test that really shows, you know [trails off]. It's another one of those state mandates. They made a blanket thing that no child will be left behind and everybody will raise the bar and everybody will do this. And, it was good because I think it did kind of change our practices a little bit. But in some cases in special ed., it was quite harmful. We had more children being left behind.

It was clearly acknowledged by participants that because of their inclusion in the accountability system, many teachers had raised their expectations of students with disabilities. At the same time, many of the teachers saw that for some students, there was no chance that they could succeed on the tests, because of the discrepancies in reading levels. At Westvale, reading is a very large focus of the curriculum and many of the

reasons that the school does poorly in accountability measures is due to students below grade-level reading levels. When students have disability labels and read below grade level, many teachers feel that passing the test is hopeless. Also, teachers feel that the tests aren't capturing the progress the students do make because of the narrow way that the tests are structured and administered. There is a fine line between the need for students with disabilities to be included in the test system so they can benefit from increased expectations and the lack of the ability of the tests to capture the knowledge and growth that students have gained.

Accommodations. In theory, accommodations are designed to level the playing field for students with disabilities when, for example, they are taking the Regents exams. Under NCLB, for students that accommodations were not enough to allow them to participate meaningfully, and, who instead needed modified content, an alternate assessment option was provided⁷. NYSED (2006) describes the purpose of state-approved accommodations:

Many students with disabilities will require testing accommodations in order to participate in testing programs on an equal basis with their nondisabled peers.

Such accommodations provide students with the ability to demonstrate mastery of skills and attainment of knowledge without being limited or unfairly restricted due to the effects of a disability. (p. 2)

⁷ I do not go in depth into the alternate assessment, because according to participants, there are no students who attend Westvale who are exempt, and who participate in the alternate assessment. This is confirmed in Westvale's (2010-2011) report card. Across the board, it is noted that Springertown School districts works diligently to meet participation requirements for students with disabilities, thus very few students with disabilities are exempt across the district.

Therefore, the idea that is perpetuated here is that there is an equal opportunity for a student with a disability to succeed on a high stakes test like the Regents, when they are granted an appropriate and approved accommodation. The question raised by participants however, was whether the accommodations do enough to truly level the playing field for students with disabilities. School level administrator, Brantler offered skepticism when she said, “I know that test mods⁸ [accommodations] are supposed to level the playing field, but, let's be realistic.” But, even if the accommodations do not entirely result in an equitable opportunity for all students, some participants acknowledged the benefits of receiving accommodations for many students. According to instructional coach, Curry:

I think sometimes our special needs kids do better because of the extended time. I don't know if it's a product of their environment, but I've been here long enough [to know that] our children's processing times are a little bit slower than most. I believe they can all get it... I mean, in my head, like names are just scrolling down--I can think of all these kids. They can get it. They can't get it in 50 minutes, especially the last state assessment, [which] was crazy. I was thinking, if this was a college level text and I had to read seven articles in 50 minutes and answer questions, you know, written at a college level... I'm a slow reader and this is my specialty reading. It takes me a long time to read and process. So, I don't know, for some special ed. kids, I think it's great that they get the extended

⁸ Several times, participants refer to test “mods.” The differences between accommodations and modifications have become concretized with the passing of NCLB, as it strictly reinforces the allowance for accommodations, but not modifications. Accommodations are a change in the format of accessing information and a modification actually changes the content or expects less content to be covered. Often the two are conflated, thus several participants refer to “mods” when they are actually meaning “accommodations.”

time, you know, and they can do it. And, I wish that all of our kids could get that. The accommodations then can truly help some students with disabilities succeed on these exams. Special education teacher, Johnson, described how the accommodations can make a difference for students who are taking the Math test, particularly when they have on their IEP that the test can be read to them.

Well, the biggest thing about the test is whether or not their IEP's says they can have it read. If their IEP says they can have it read for math... I had two boys last year that were special ed. They were first and second grade readers, but phenomenal math students and because of their IEP, the math questions were allowed to be read. So, as I would read them to them they would just listen and go, "okay." But, whereas I had other ones, whose IEP's said that you can only read directions. So, I would read the directions on the top and say you have to figure the rest out and they probably could have got the answer right, but if it's not on there that you can't do it; it's against the law. So, I just say, "Sorry, I can only read the directions." And they would just guess... So for like those two boys I was talking about, they got lucky, not lucky, but it helped them tremendously because they're strong math students. Their weakness was helped out by me reading the test and therefore they were able to get many questions right that if I had just said, "Well, you try to figure that one out," they would have [not done as well]... When I don't say I have to read it for you, [and say,] "If you can read it go ahead." And I've seen that... they thought, "Oh, I thought it said this." So that's tough.

Although accommodations like extended time are obviously helpful for students with

disabilities when taking state examinations, a number of participants corroborated the sentiment that the reading accommodation is particularly helpful for both students with disabilities and ELL students.

Nonetheless, the reading accommodations participants found helpful for the math assessment are not approved for the ELA test. Participants commented that because of this, many of the special education students struggled on these tests. Instructional coach, Davis, for instance, remarked that because the reading accommodation is only available for the math tests that, “really it’s still not going to help you on an ELA test.”

Other participants suggested that because of the discrepancies between students’ reading level and the reading level on the test, accommodations often do not do enough to level the playing field on the ELA test. Speech and language pathologist, Clark expressed strong feelings about the impact of this discrepancy on students:

To be honest, though, again you have a kid that is at a kindergarten level taking a standardized test--does it really matter if he has extended time? He can't read. You can't read it to him. If you have the next four years, he's still not going to be able to read that. Do you know what I mean? So, you have your small, small group, no more than five kids, minimal distractions. And yet, again, the kid can't read. It doesn't matter what you do, you know. I had a substitute one day when I was giving the ELA and I'm supposed to be proctoring, and she was the substitute in there. It was a self-contained room. And, we had these five kids and she was, she was wonderful. She was so serious and she was like, should we give them a highlighter? And should we...and, I was like, “Well they can’t read.” And, she was like, “well, you're very negative.” And I was like, “Well, I'm being honest,

the kid can't read the word "THE" And, this is what he's looking at; he can't read." He can write his name hardly. So, what are we supposed to do? I'm like "keep him in here for two hours and hope they don't freak out and throw a table, because they are so frustrated, because they can't read." I mean, so you have testing accommodations and I think for some kids they are great, they might need that extra processing time, they might need [other accommodations], but for other kids that are so low, it doesn't matter. They should not be taking the fourth grade test.

Clark, who proctors many exams, commented on the fact that the accommodations do not go far enough to level the playing field for students who are reading far below grade level. Clark is also clearly exhibiting low expectations for students, who she perceives to be poor readers. Yet, at the same time, she is frustrated with the fact that the accommodations do not go far enough. It is also important to consider how the system of special education and standards-based reform perpetuate specific ways of looking at students, because the system is set up to construct ability through the lens of a step-by-step standardized curriculum. Perceiving students who deviate from those norms more fluidly is not reinforced by this view.

Other issues related to accommodations is first, how they are decided upon and second, how they are administered to students. Special education teacher, Songer, described her interpretation of how Springertown decides which students can receive the accommodation to have the test read to them for the math assessment:

What happens with that is they have the test mods [accommodations] and we just give them their test mods. A thought that I have of our district, I guess, is that the

kids have to be three years behind in reading to get the mod that says tests can be read, except for reading tests. So, say a kid who is pretty decent in math, who is in third grade, but on a first grade reading level—[that student] is going to be penalized on the math test. But, unless they are three years behind and in third grade it's not at the point where they can really be three years behind. Do you know what I mean? And, it's really hard to get that test mod and I think that it should be more available for kids, especially for the math test. Do you know what I mean?

Both Songer and Johnson questioned which special education students received the reading accommodation--one that clearly had the most impact on the performance of the special education students. The process that Songer was describing would also not align with the IDEIA regulations. According to the IDEIA, decisions about whether students receive an accommodation on a state test must be made on an individual basis. NYSED (2006) provides guidance on how test accommodations should be implemented, and they state that blanket rules (such as reading three years below grade level) for assigning accommodations are not appropriate.

Other issues arose in regard to accommodations. Clark, for instance, explained that many teachers ignored the accommodations on a student's IEP until the state test time, when they should have been applied all year long.

Unfortunately, it seems like when the standardized testing comes everybody knows about testing accommodations; everybody is getting them for those tests. You don't hear about-- all the teachers come to me and they're like (she trails off). And, I say all year long [that] they should be doing that; "That's why I gave you

these testing accommodations in the beginning of the year. That's why we went over them; they should be getting them all year.” And they are like, “Well, he needs small group and he’s supposed to be in a quiet area.” And I’m like, “For every test!” So, I’m just being honest; it all comes out during standardized tests. Even the management of accommodations can be tricky because of the number of students who receive either special education or ELL accommodations at Westvale. Davis commented on the staffing issues that occur during test time: “Now we can barely test the way we’re supposed to with the people that we have.”

Overall, accommodations on tests are helpful for many students with disabilities. Moreover, students often are able to succeed when they are eligible for and receive necessary accommodations. Some participants acknowledged, however, that accommodations do not necessarily do enough to entirely level the playing field for many students with disabilities, particularly on the ELA test. Furthermore, issues sometimes arise during the decision making process in terms of who receives accommodations, particularly the reading accommodation. Also, in practice, accommodations are not necessarily administered the way they should be. If students were given approved accommodations all year long, they may not have had to spend as much time learning test-taking skills and strategies.

Effective teachers and principals. We will elevate the teaching profession to focus on recognizing, encouraging, and rewarding excellence. We are calling on states and districts to develop and implement systems of teacher and principal evaluation and support, and to identify effective and highly effective teachers and principals on the basis of student growth and other factors. These systems will

inform professional development and help teachers and principals improve student learning. In addition, a new program will support ambitious efforts to recruit, place, reward, retain, and promote effective teachers and principals and enhance the profession of teaching. (U.S. Department of Education, 2010, p.4)

In order for New York State to hold on to the \$700 million in Race to the Top funds they were awarded, they must adopt a teacher-leader evaluation system. Also, Governor Andrew Cuomo, a proponent of these types of evaluation systems, has put a great deal of pressure on the state and teachers unions to come to an agreement regarding an evaluation system. The governor threatened to implement his own system to measure teacher effectiveness if an agreement with the teachers union could not be reached. In March, 2012 an arrangement was reached and teachers in New York are being rated as; ineffective, developing, effective, or highly effective. In these ratings, 20% comes from the Regents test scores of students. Another 20% must come from another component of standardized test scores chosen by the district. The remaining 60% must come from classroom observations (Phillips, 2012b). According to Ravitch (2012), these percentages do not function quite as they seem. She points to one particular sentence in the agreement that was reached between the state and the teachers union that shows the priorities in the rating system. The sentence reads: “Teachers rated ineffective on student performance based on objective assessments must be rated ineffective overall” (para. 3). Ravitch (2012) cautions readers that this means, if a teacher is rated highly on observations, but they are not raising test scores, the teacher will be deemed ineffective overall. If this happens for two consecutive years the teacher may be fired.

The implementation of the teacher and leader evaluation system has immediate ramifications for Springertown School district. The district's website explains that there are significant financial implications tied to meeting the mandates. The website asserts that because of the quick implementation of the mandate, there is not time to develop customized models for the district. Therefore, for teacher evaluations, the Danielson model has been chosen and the Reeves model was chosen for leader evaluations. Because of the time limitations, the website notes that these models are not necessarily intended for long-term use, but function as a "stopgap" to meet current state directives.

Also, as I noted in chapter 4, PLA schools were required to implement the teacher-evaluation systems by January 2012 and all teachers must have had two evaluations completed using the Danielson model by June 2012. Previously completed evaluations were deemed null and void and teachers would now have to write individual growth plans using the Danielson model. The scores that were recorded for the spring of 2012 would now be held on record by the state and could be used as a measure for future "career ladder" decisions. Springertown decided on the Danielson model at the same time PLA schools were required to implement the model. Many details of the processes of implementation are, at the time of this study, still being worked out.

Because Westvale is a PLA school and they were charged with immediately implementing the evaluation model, many participants described at length the uncertainty, confusion, and fear that the new evaluation system was causing them. Special education teacher, Songer defined her uncertainty about the evaluations:

We have so many questions. How will they evaluate the music people and the specials people? I mean, there are so many questions. There are more questions

than answers right now... We are going to start that this year in our building and, we're still like, we found out that acuity...That's going to count for a piece of our evaluation, I guess, which is a little crazy in itself. I mean there's just a lot of, I guess, they're going to weigh in heavily on the planning piece, I think, and the instructional piece, and the content-knowledge piece. Like do you know? I guess, that's a big part of it this year. So, I don't really know a lot. We're finding out as we go. I don't know if it's going to be a thing where...if you don't get a good evaluation then they, you know, then you go on this notice or something and then you are supposed to get more help. But I know of people who have been on there really didn't get much help, so I don't know.

Johnson further elaborated what the acuity portion of the evaluation refers to:

So, then they tell us that that's going to be factored in with state scores. And, I think they are going to be using acuity, which is a computer-based assessment that mirrors what the state tests look like, which, to me, that's the part I don't (trails off). The other part, you know, it doesn't really make me nervous, because, I know that I've been doing my job the right way.

Teachers who are being evaluated clearly expressed that they did not understand what they were even being evaluated on. Johnson claimed to be confident he will do well in the evaluation, but he also described some of the problems that the evaluation system may cause the school.

Clark, who is a speech pathologist, also described having uncertainty about what will happen. She explained that she does not:

know what's going to happen now with the new teacher evaluation system. How?

They still don't know, but yet it's in place at my school. Especially because we are on the PLA list for the state. So, we have to, as a speech teacher, I have to get evaluated just like teachers, other teachers, but I don't know where they're getting the scores from.

Teachers and administrators alike showed confusion and uncertainty about the evaluations. Even Westvale administrator, Slater, who had begun using the Danielson model and who had passed the lengthy examination required prior to beginning to observe teachers is still unclear with many aspects of the evaluation system. Of this she claimed,

It's like 60% is what happens in your classroom and like 40% is the tests and that's where it's still challenging, because how do you do the 40% for a teacher that is not necessarily, like an occupational therapist or a physical therapist? That piece is still, for us, that's kind of above us. We're just dealing with the actual evaluating... Are they good teachers? Instead of using the old model, we're using them new model. But, they haven't really figured out those ratios yet, even for general area teachers, gym teachers, art teachers, people that don't give the [state] test.

Beyond just uncertainty, some participants shared that teachers were actually fearful. When interviewing district-level administrators, Longer and Lather, both expressed concern over the ramifications of the evaluation systems on teachers:

[Longer]: I think the whole teacher evaluation process that's coming down the pipe has added to that pressure. I have heard people verbalize that.

[Lather]: Oh yeah, absolutely.

Jessica: In bad ways or in good ways?

[Longer]: Fearful ways.

[Lather]: Fearful, yeah. Fearful that my professional career is on the line.

Unintended consequences. Beyond uncertainty and fear, some participants also said that unintended consequences would result from the implementation of the teacher and leader evaluations. Kroger, a principal who is on a committee that is charged with making decisions for Springertown School District, for example, said he was vehemently against the implementation of the evaluations. Of the evaluation Kroger claimed that:

Regulations have been re-written and that's basically to fire teachers. They want it to be merit pay. They're messing with the wrong thing. Obama was ill advised by some twit that just said, "Oh, these kids have to have teachers that blah, blah, blah." It will change back because, guess what? There's going to be no teachers, because who is going to get into it [the teaching field]. Either that or they won't honor it. They will not fire people because the kids didn't do well on the state test... It shouldn't be the extreme; you're terminated because kids didn't pass the test.

Kroger warned that there will be negative consequences in regard to both who will pursue teaching as a career and who will remain in the field of teaching because of what he considers a very poor policy. He suggested that, "People won't go into teaching because it's just not right. And, they're [school districts] going to have to scramble. It will be a big mass exodus. They will not have teachers. No one's going to get into the profession." In discussing the evaluation system, which is a concern of state level employees as well as school level staff, Hoffman concurred with Kroger: "That's why I think there is going

to be massive retirements.”

School-level administrator, Brantler was also concerned with possible unintended consequences that could result from the evaluations. She claimed that the evaluations may, “create animosity, [because] either way, then, teachers don't like to be recognized for being phenomenal or not.” Allan also anticipated the possibility of an influx of cheating if such high stakes are attached to evaluations. She claimed that in a discussion about the evaluations, a colleague admitted that, “if this is between [a] kid in my class going to college and for me having a career to put my kids through college, I'd have to cheat. And that's the bottom line.”

Evaluations and students with disabilities. As is often the case in policy making, it is clear that students with disabilities and English Language Learners were not adequately considered in decisions being made around teacher and leader evaluations. Thus, it is important here to address how these students are thought of (or not thought of) in the policy-making process and to address how the evaluations threaten to affect the inclusion of students with disabilities.

While attending a Commissioners Advisory Panel meeting, I learned a great deal about how New York State was beginning to think about the implementation of the evaluation systems, and how it might impact special education teachers. The representatives from NYSED, who are in charge of disseminating information about the teacher and leader evaluations, explained that student difference can be thoroughly controlled for as a variable through statistical procedures. During the meeting, many members of the Commissioners Advisory Panel expressed concern over how the evaluation measures could fairly account for factors that affect student test scores. These

factors include student demographic characteristics (similar to subgroups), including students who have disabilities, are living in poverty, are racial and ethnic minorities, and are ELL. The state has claimed that through the application of a value-added statistical model, they can effectively control for student difference—mitigating its influence as a variable. This was deciphered by a NYSED employee who said that, “Because this is such a large state, we can get an accurate account by comparing similar characteristics. There are so many different students in New York; you can compare kids in almost anything.” This individual further explained that any teacher can be fairly compared as long as you have a comparison teacher, who has similar students in his or her classroom. The students’ growth would be considered first, and then the teacher would be compared to other teachers in the country who have students with similar demographic profiles so that an accurate portrayal of how the teacher is doing can be determined.

Many issues arise with this formula. The first problem is one that a participant, who was a teacher and a member of the Commissioners Advisory Panel, pointed out. She argued that “the assumption that you can account for everything is erroneous.” As this teacher noted, there will always be variables that cannot be compared statistically across the state. This is a topic of discussion that took up a large part of the meeting. Participants questioned how you could control for migrant students, or whether a student ate breakfast that morning, whether a student witnessed violence that week, and so on. The response of the NYSED employees was that they “hired a contractor to create a value-added statistical model. We ask them to run the model and do the math and show us how the factors turn out so we can figure out what student factors to include in the model.” The state representative claimed that, as the statistical system becomes more robust, the more

difference would be able to be controlled for.

The other problem with this formula is that by comparing teachers to each other to come up with ratings, some teachers must do well and others must do poorly—not surprisingly, a feature of many high stakes assessments taken by students as well. A new adjusted “lower” norm is created for teachers who have “diverse” students in their classrooms. Creating a new-norm lowers expectations for both the teachers and their students. Also, a normal curve is applied to the rating system. Under this logic some teachers must fail (or receive low ratings) and others must succeed (or receive high ratings). It is impossible for all teachers to excel under this formula.

As the discussions continued about how special education teachers would be considered in the overall evaluation system, it became evident at the Commissioner’s Advisory Panel meeting that many questions were still left unanswered. Questions about self-contained teachers, about IEP goals, and so on were not answered. Over and over, the state employees responded that, “We haven’t’ figured it out yet. These are questions that need to be developed. We are running pilots throughout the state right now, so we can learn.” The problem was that PLA schools were currently implementing the evaluation system and were unable to wait for the results of these pilots.

Other concerns arose at the Commissioners Advisory Panel meeting, mainly how the evaluations could threaten to affect the service delivery choices that are made for students with disabilities. During the meeting a member of the committee questioned the state representatives about how they will count co-teaching teams if the special education teachers are not in the classroom all day. The state level representative replied:

The teacher of record is counted for any set of students, so if there are two

teachers of record they will be counted. We will be figuring out a system that is as fair and accurate as possible so that it doesn't distort the decisions schools make and that it doesn't persuade the service delivery choices schools make. We are cognizant of the dangers of setting up incentives for schools to game the system in how they set up service delivery.

It was clear that the state-level representatives were aware of the possibility for schools to manipulate how they deliver services to students with disabilities in reaction to the demands of the teacher evaluation system.

This fear about the potential for the evaluation system to impact service delivery was supported by interview participants. School-level administrator, Allan for example stated that because of the evaluation system, teachers are "going to want those kids out of their class, your job depends on it." District-level administrator, Skinner, revealed that he was beginning to hear similar sentiments from teachers:

Occasionally, you'll hear, "well I'm not sure if I want kids with disabilities in my classroom anymore," or "I'm not sure I want to do consultant teacher model any more. I'm not sure if I want those kids." I hadn't gotten that stuff in a number of years, you know we've really gotten away from that. But this [teacher evaluation system] is bringing that back. I often say, "hey I'd want them in my class because if it's growth model, what a great opportunity"... [but], I think specific subgroups you know will actually get hurt a bit more because there's going to be, "oh it's that kid that made me fail." [I ask them] "well what about the four gen ed. kids you didn't get through? You know not the two special ed. kids. You blame the two special ed. kids when you had four kids that didn't" (trails off).

It is apparent that Skinner is concerned about how general education teachers will react to students with disabilities in their regular education classrooms. Skinner would like for teachers to see the inclusion of special education students in their classrooms as an opportunity, but he fears that teachers will blame students with disabilities who don't receive high test scores.

Other participants described similar concerns. School-level administrator Brantler explained why she believes the evaluations may dissuade teachers to want students with disabilities in their classrooms:

How could I, who is teaching AP [advanced placed] and Regents chemistry? How could my stuff really be equated to somebody teaching a ninth grade English inclusion class? So you have to look at how fair is the comparison...and if you have the kid in your class and you're beating yourself up over him. And we've all had the students where they soak up like a sponge and as soon as you walk away they wring it out, you know? They just can't retain, for whatever reason, or they don't perform on a test. How is that teacher going to react the child? Because now they know that they are being measured based on a kid. Are they going to take it out on that kid?

Brantler is concerned that students with disabilities will be blamed for teachers low test scores. State-level employee Hoffman also fears that the evaluations will have a negative impact on special education services:

I think all of our teachers are freaked out about this new assessment; there is no answers, really, for all of the special education teachers. They are the most scared because one of the big backlashes as we started to move into this accountability

was like get this disabled kid out of my room. Because I am going to be evaluated him on his performance and I don't want to look bad... So, I see teachers feeling extremely nervous about having kids with disabilities in their classes. We, when we go into evaluate, one of the things that we look at is LRE and you can go to ten schools here [a region of New York State] and find a different version of Least Restrictive Environment.

It is clear that there was much concern expressed by participants that the implementation of the teacher evaluations has the potential to affect the ways teachers and districts think about students with disabilities. Even if the state is able to statistically control for all demographic difference (including disability), a perception may still exist that special education students will hold teachers back from receiving a positive evaluation score. Even this perception could potentially threaten to harm the inclusion or fair treatment of students with disabilities.

Overall, teacher and leader evaluations were of large concern to the participants in this study. Each participant talked at length about the evaluation system. These types of evaluation systems are not yet statistically sound, despite the fact that they were already being implemented. There was much concern about how the systems would account for student difference and how teachers would both be affected by and react to students difference. The reward and sanction mentality which was now being applied to teachers, has the potential to result in many negative consequences for students, teachers, administrators, schools and communities.

Rigorous and fair accountability for all levels. All students will be included in an accountability system that builds on college- and career-ready standards,

rewards progress and success, and requires rigorous interventions in the lowest-performing schools. We will celebrate the Reward states, districts, and schools that do the most to improve outcomes for their students and to close achievement gaps, as well as those who are on the path to have all students graduating or on track to graduate ready for college and a career by 2020. All schools will be aiming to do their part to help us reach that ambitious goal, and for most schools, leaders at the state, district, and school level will enjoy broad flexibility to determine how to get there. But in the lowest-performing schools that have not made progress over time, we will ask for dramatic change. To ensure that responsibility for improving student outcomes no longer falls solely at the door of schools, we will also promote accountability for states and districts that are not providing their schools, principals, and teachers with the support they need to succeed. (U.S. Department of Education, 2010, p. 5)

This statement, taken from the blueprint, aptly identifies the accountability priorities under RTTT. An accountability system is defined as a systematic collection and analysis of data and information that is used to hold schools, educators, and states responsible for the performance of students, educators, and the education system (Quenomoen, Lehr, Thurlow, & Massanar, 2001). New York State has faithfully implemented these federal policies, which have profound impact on students with disabilities.

From the advent of the standards movement, advocates fought for students with disabilities to be included in the accountability system, with a hope that this would incentivize schools to increase the access of students with disabilities in regular education

(McLaughlin, Miceli, & Hoffman, 2009). As noted in my literature review, this tactic has been documented as effective for students with disabilities (Thompson & Thurlow, 2001; Defur, 2002; Ysseldyke et. al, 2004). Interview participants also described these benefits, for instance, state-level employee Davern stated,

I don't think there's any question that accountability for subgroups has put a kind of long needed focus on the performance of students with disabilities as a place that schools and districts need to pay significant attention to. I think, in general, of course as you raise the learning standards and as you implement the Common Core, and expectations rise for all students, then it becomes even more significant for students with disabilities, some of whom have been struggling in the first instance with the previous set of standards.

Nelson, who previously worked for the federal government department of education, also claimed,

I mean, I think that is what you know people really herald...[The disability] community really herald NCLB as like the spotlight for showing how achievement rates for students with disability are just so far below their peers nationally.

Both state and federal level interview participants praised the standards-based reform movement for including students with disabilities in the accountability system. However, students who are in the alternate assessment track may not receive the same benefits (Almond, Lehr, Thurlow, & Quenemoen, 2002; Wakeman, Browder, Meier, & McColl, 2007).).

The effects on the implementation of the accountability system for teachers were

also discussed in interviews. School level educators claimed that keeping up with the documentation necessary to comply with accountability requirements was very time consuming. Many teachers also suggested that the progression towards increased accountability was an inevitable component of the evolution of the education system. For instance, instructional coach Curry explained:

I definitely think the biggest change is that teachers are being held more accountable for student growth and student success overall. There's a way bigger push for data than there ever was before. I'm just trying to think from when I started... No one really held me accountable. You know, there were no state standards when I was first in the classroom. No one really told me what I had to teach. I just kind of looked at whatever, whatever the grade it was, third grade textbook and I'm okay, I guess this is what I guess I'm teaching. And now I look at everything that we, that people are holding people accountable for and it's overwhelming.

And educator Davis noted that,

I think teachers are very busy and there's been more since I started teaching to now... There's been so much more added and nothing taken away. Nobody said I don't have to do this anymore, but you do have to do this, and this, and this. Like, "Do all that and this, and this, and this, and this, and keep track of it and write it down." And, it's a struggle you know. It's a struggle for teachers.

This increased accountability has shaped the teaching profession in many ways. Teachers I interviewed said that in some ways teaching may not have been as effective before because everyone just did what they wanted. However, teachers did not appreciate the

fact that a large component of their day and their job goes into labor that revolves around accountability.

When district level administrators and state level employees discussed accountability for teachers, the discussion often focused on the need for oversight of teachers. The assumption here is that without accountability, teachers will not properly do their job. District-level administrator Garcias, for instance claimed:

I think there is more accountability to make sure that all students are being served and that the adults are being held responsible for student learning. I'm not sure that the adults are actually being held responsible, but certainly there is more attention on student learning and more spotlight on schools that are not serving students well.

Garcias suggested that without oversight and accountability, adults would not do their jobs adequately. She praised accountability and believed that without it students suffer because teachers would not have the volition or internal ability to teach well. A similar sentiment was expressed by State level employee, Hoffman:

Now, because of the No Child Left Behind, because of Race to the Top, we're saying everyone is accountable, not just the special ed. teacher. That's a big issue now in terms of the unions. The unions are very unhappy with that... because the level of accountability that they are going to be held to is so much higher than it ever was. And, I am all for it, because good teaching works for all.

Throughout the interview with Hoffman, a variety of ideologies were embedded in her conceptualization of policy. This is not surprising because Hoffman spent most of her career as a teacher and she now works as a middle-level state employee. She embeds both

teacher informed discourse and state informed discourse into many of her comments. She related to the perspective of teachers when she claimed that the accountability is extreme. At the same time, she invoked the discourse of the “good teacher,” which is part of the neoliberal ideology that assumes that educators must be held accountable to adequately perform. The intense scrutiny over teachers is heightened for failing schools.

In the statement from the Blueprint for Reform (U.S. Department of Education, 2010), it was explained that states, districts, and schools who are performing well on exams have some flexibility in the implementation of the accountability system. However, those states, districts, and schools that are deemed low-performing, will have intensified accountability and oversight. The hyper focus on schools that are failing or not performing well is an important component of how monitoring occurs through the accountability system; particularly how special education is monitored. During an interview, state-level employee Hoffman explained what the state refers to as “differentiated accountability:”

Differentiated accountability is like the gen. ed. side of the street. It used to be elementary, middle, and secondary, now they are P - 12. They [NYSED] monitor schools based on the achievement of the subgroups--that's the No Child Left Behind piece. So, when you have a certain number of subgroups, or a particular subgroup that doesn't meet the state reference points, you become identified. To explain differentiated accountability further, it is a pilot program that New York State was accepted to participate in. Under this agreement, schools have some flexibility in regard to the supports they are provided from the state; however, the state must take the significant action over the lowest performing schools (Cort & Schwartz, 2011).

This process was also described in depth by Yunaska. He explained how the Department of Special education is charged with overseeing the extremely expansive special education system in New York State, which includes public schools, BOCES programs, private schools, charter schools, correction facilities, pre-schools, and so on. Because of how extensive their role is, they don't have the resources to oversee all programs. They, therefore, take a "risk management approach." Yunaska explained that the office chooses to focus resources on "programs that have the greatest challenges-- that are not performing well. The ones that are performing well don't see us very often... So we have to focus on those programs that are the lowest performers." Thus, the Office of Special Education chooses only to spend time and resources on accountability and intervention in low-performing schools. This aligns with the Blue Print's (U.S. Department of Education, 2010) objective to provide flexibility to "most schools." The schools that do not have flexibility and that are monitored closely are those not doing well on state tests.

Another thing that New York State chose to do in order to streamline their accountability process was to integrate the accountability processes required under IDEIA and NCLB. When a school is being reviewed because of failure to meet NCLB requirements for students with disabilities, they will also be reviewed on their compliance with IDEIA. The level of scrutiny for both IDEIA and NCLB is raised for only failing schools, while other schools are only subject to minor oversight. Yunaska clarified how this process works:

When we look at how schools are doing, that's our accountability system, right?

But what Congress did in their infinite wisdom was unfortunately they created an

accountability system under two separate laws [NCLB and IDEIA]. Actually, when they thought they were bringing these systems together, they were really spreading them apart... So, what we have done in New York State is we've integrated or aligned our accountability system... When there is a review process in the districts--if the district is identified because of their data for the subgroup of students with disabilities--we don't identify that district separately... Now we identify that district under both systems. So, if a district is identified for poor performance for the subgroup of students with disabilities because of the NCLB criteria, we also identify that district under IDEIA. What that allows us to do are a couple of things. Now NCLB requires that if you're identified, there's a review process. So there's a school quality review. There's what's called a joint intervention team and [it] goes in and takes a look at what the instructional practices and other aspects that are causing this school to not to perform well. So, what we did in New York State is we said, "Well, let's have the general ed. folks and, let's go into look at this school together and let's integrate our tools." [This is] the tool we use to look at this district because we don't want to fragment the process. So, that's what we do now. So, we have special tools for looking at--we walk through for students with disabilities-- and we integrated that with school quality review for all students. But remember, we do that if the district is identified for students with disabilities subgroup. So the outcome is they have to do some actions. Now the school is going to have to do some actions that are going to improve the results for students with disabilities. So, what we would do is we tell that program you have to improve your instruction for the students with

disabilities.

Yunaska provided a clear explanation of how the alignment of the systems and differentiated accountability work in terms of special education. During the process, the school is told to focus on areas that would improve results for students with disabilities.

Thus, New York is working toward aligning accountability through IDEIA and NCLB. There remains an inequitable standard for accountability and oversight for schools that are deemed failing because of test scores. According to Cort and Schwartz (2011), this process “will lead to systemic instructional improvements particularly in the areas of literacy instruction, behavioral supports and/or the provision of specially designed instruction for students with disabilities” (“Resulting Actions” para. 2). Thus, even though there is both accountability for IDEIA legislation and for NCLB legislation, when a school is reviewed, the focus is not on increasing compliance on IDEIA, but instead on NCLB, which is a reason the school was intensely reviewed in the first place. In other words, the important provisions of IDEIA are essentially trumped by NCLB.

After receiving this explanation from Yunaska, I inquired about how the 20 indicators that the state is responsible for reviewing under IDEIA are considered. In particular I asked whether the state would intervene on a school that is under review if it was not meeting expectations on the Least Restrictive Environment indicator. Yunaska responded by saying, “Sometimes it does, sometimes it doesn’t. It’s probably a matter of priorities, but if it’s a serious enough problem, we usually pick it up.” It seemed clear to me that accountability around components such as LRE are not prioritized during review processes to the same degree as NCLB, and thus schools are not motivated to modify their practices and ensure alignment with IDEIA. They are, however, forced to adopt

changes to instructional practices (as aligned with Common Core) because this has been deemed a policy priority. The ramifications for failure to meet IDEIA performance indicators come in the form of professional development. In some cases special education funds must be set aside to deal with the issues (Steiner, King, Cort, & Delorenzo, 2011) but overall even when the systems are integrated, the ramifications for not meeting accountability standards under the NCLB are much greater than not meeting accountability standards under IDEIA.

Because the sanctions and rewards associated with NCLB are greater, schools that are failing understandably emphasize practices that will keep them from being subject to the most intense ramifications. Yet, because of this privileging of NCLB over IDEIA, inclusive education and other elements and protections of IDEIA take a back seat to standards-based reform policies. The altering of priorities has profound effect on inclusive education that has been discussed throughout this dissertation.

Processes of Implementing Standards-Based Reform

After describing the educational priorities of standards-based reform, I will describe the processes that are used to implement national standards, state tests, teacher and leader evaluations, and accountability systems. Interview participants described a variety of mechanisms used by the government, state, and districts to implement standards-based reforms. Many of the practices described in this section are what many scholars describe as neoliberal (Apple, 2004) or biopolitical (Foucault, 2010). These practices did not begin with the Obama administration, but have been evolving for decades (Ravitch, 2010). The effective processes that are used to implement standards-

based reform described in this chapter include the role of financial incentives, the role of the media, and the role of research. I also discuss the ways that standards-based reform attempts to infiltrate all levels of educational bureaucracy, from the federal government to local schools. Finally, I explain the role of special education in policy development. I end this chapter with an analysis about how the discourse which standards-based reform adopts--one of blaming students and teachers--works to conceal the inequitable educational structures that exist.

Financial incentives. As understood through the lens of neoliberalism--capitalism, competition, and the interests of the market are inexorably linked to the implementation of standards-based reform measures in education (Apple, 2004). RTTT uses money to incentivize public schools to adopt standards-based policy. As I will show in this section, participants repeatedly referred to money as being an important aspect, influencing how reforms are implemented. Inequity in funding was also brought up recurrently by participants.

Currently, educational budgets are being severely cut across the nation and New York State is no exception. According to Williams, Leachman, and Johnson (2011), New York cut education aid by \$1.3 billion, or 6.1 percent. This cut will delay implementation of a court order to provide additional education funding to under-resourced school districts for the third year in a row. Beyond cutting the level of education aid in FY[20]12, the budget limits the rate at which education spending can grow in future years to the rate of growth in state personal income. (P.13)

New York State imposed a 2% property tax cap on the amount a school districts levy tax can increase each year (Office of the State Comptroller, 2012). According to one union

representative speaking at a public event I attended, this cap is “the most draconian property tax cap in the country.” When federal funds to education are cut so drastically, taxes are often an avenue for districts to acquire necessary supplemental funds. This option has effectively been eliminated for districts in New York State. Williams, Leachman, and Johnson (2011) claimed that this tactic, which alleged to be about improving economic growth, “likely will do more harm than good” (p.1).

According to Longer, a district-level administrator, a lack of funds was a huge issue for Springertown:

There has been very little to no raise in the tax rate in the City of [Springertown]... But I think it's a whole trickle down of the economics in [Springertown]... we don't have a large tax base here in New York. We have no industry. We have lost all of the manufacturing that was here 30 years ago and there has been nothing to replace it. The City of [Springertown] is crumbling.

Urban districts, such as Springertown are struggling to survive financially and inequity between districts was raised as a major concern by participants. District-level administrator, Klosher claimed that he has “spent an awful lot of time with the funding of public education... New York has the most unequal funding system of any state... I spent probably the bulk of my time as [administrator] fighting for fair funding for urban districts.” Also, Baron, a retired school-level administrator noted that a lack of funding is an issue that many urban districts constantly have to deal with: “The inequality of funding means the poorer districts get less money, it's not so much money per se is the key for education, but it impacts...staffing situations.”

The inequity of funding in New York is well documented. One recent, in-depth report looks at the funding inequities in New York State and highlights the recent trend towards cutting educational funding. The cuts fall heaviest on urban districts; the report explains that “while cuts in the High Wealth Districts were only \$269 per pupil, those in the Poorest Districts were twice as large at \$547 per pupil” (Marcou-O'Malley, 2011, p. 3).

These issues affect Springertown. I learned about the budget issues Springertown School District faced when I attended a public budget meeting. When working towards balancing the budget for the 2012-2013 school year, Springertown was in a deeper financial crisis than ever before. Due to state cuts and the inability to raise excess funds through taxes, Springertown was forced to borrow approximately \$25 million against itself for the first time in the history of the school district. This means that the following year the district would automatically have a deficit of \$25 million. At the meeting, the Superintendent explained that if they had not done this, the district would have been forced to lay off in excess of 150 more employees. Even with these extra funds, the district was planning to lay off approximately 60 people, and had over 150 confirmed retirements. Clearly, the district would have to operate with considerably fewer staff. Beyond this, the district also cut a variety of programs and made the choice to close a school. Also, of the overall budget for the district, the state required the district dedicate eight million dollars to the implementation of the Common Core standards and the new teacher and leader evaluation system.

The ramifications of these cuts were undoubtedly huge. According to district level administrator, Skinner:

You've got some pretty challenging fiscal situations going on across the country and right here in New York State; we had a \$30 million dollar budget challenge this last year. Our budget right now is the same as it was I think like five years ago. I mean, we lost 483 full-time employee positions this year. We lost 250 last year. So you add those up—that's over 600 positions and you start looking at all those pieces. Eventually you get to a point... where you can't provide the services and supports for kids that they need.

Although speaking here of the 2011-2012 school year, because of funding shortages, each year the district must figure out how to operate with fewer and fewer staff.

Another issue is the discrepancy that exists between the reality of how urban schools must operate, and the way that the public perceives urban schools. District-level administrator Lather lamented over the situation:

It's a shame, the needs of this population in this urban setting where kids don't have pens and pencils. The school now doesn't even have the money to provide them with pencils. It's pinching pennies, but you know it really always comes back to accountability. And the statistics for schools are not good in this district. It's not good, we're not graduating very many kids and yet we're always asking for more money. So you can see from an outside perspective—they're like, well what are you doing? But from an inside perspective we're treading water.

Thus, it is evident that the budget cuts have dire effects on the ability of schools to function properly. The strong disconnect between the perception of those who work in the urban schools and those who do not have large ramifications for how the schools become funded.

Springertown school district is increasingly becoming poor and when districts become extremely poor, it provides opportunities for the state to step in and shape education. When schools do not succeed with the few resources they are provided, the need to privatize education appears more attractive to the public (Hursh & Martina, 2003). Moreover, when schools are in dire budgetary situations, they are also more likely to agree to standards-based reform measures in return for funding. The Obama administration has admitted that the goal of using financial incentives is to promote the implementation of RTTT priorities. As RTTT was being implemented in 2009, Secretary of Education Arne Duncan (2010) wrote an article in the Washington Post entitled “Education Reform's Moon Shot.” In this article he reaches out to state governor’s and tells them that RTTT presents an opportunity to become “his state’s ‘education governor’.” Duncan goes on to explain:

Since its inception in 1980, the U.S. Department of Education has traditionally been a compliance driven agency with only modest discretionary funds available for reform and innovation. By contrast, the Race to the Top fund marks a once-in-a-lifetime opportunity for the federal government to create incentives for far-reaching improvement in our nation's schools. Indeed, the \$4.35 billion available in Race to the Top easily outstrips the combined sum of discretionary funds for reform that all of my predecessors as education secretary had.

For states, school districts, nonprofits, unions and businesses, Race to the Top is the equivalent of education reform's moon shot—and the Obama administration is determined not to miss this opportunity. We will scrutinize state

applications for a coordinated commitment to reform—and award grants on a competitive basis in two rounds, allowing first-round losers to make necessary changes and reapply. (para. 2-3)

New York State thus, took the “moon shot” and of the 4.3 billion dollars allocated for RTTT, New York State received approximately \$700 million. Of the \$700 million dollars, approximately \$350 million of the state’s funds were promised to school districts and charters who agreed to participate in Race to the Top (NYSED, 2010d). Urban schools desperate for money have no choice but to participate in incentivized standards-based reforms.

The success of forcing school districts to accept the reforms that come along with the RTTT competition money was described by Kloser, a district-level administrator from Springertown School District:

You know I was sort of shnooked, too. I thought this Race to the Top—we’d get our share of Race to the Top money. New York State was scheduled for \$700 million. I thought by figuring out when New York City got, that we would get \$30 or \$40 million dollars of that. Which would've been a fair share statewide, and all of that. So yeah, I was willing to sell my soul, whatever it came up with it, we would do it. But it turned out we got \$1 million dollars and not \$7. Not \$40 or \$50 million. So what I would say about Race to the Top is they're doing the wrong things, the right way. And, you know I wish I had the President's ear, because I could tell him what the right things to do. But he certainly got, by putting that much money, he got unions to sell out, he got administrators, he got... And, again, the whole state sold out, but at the thought of \$700 million dollars. So

he's doing the wrong stuff, but it's the right way. And big money gets people to change their tune. You know it would be interesting if he said, you know "I'll give you \$700 million to the first state that totally includes every single kid." You have people killing each other to be doing that. So he just picked the wrong stuff.

This quote poignantly reveals the strong role that financial incentives have on school districts that are in desperate need of funds. This administrator does not agree that the priorities set forth through RTTT are in the best interest of Springertown School District, however he feels that he is forced to accept the reform measures for a promise of much needed money.

School-level administrator, Kroger similarly commented on the lack of funds that Springertown received in comparison to the overall RTTT funds received by New York State:

Now with this whole Race to the Top... the \$350 million dollars, we were awarded, New York State got \$700 million dollars. Albany took \$350 million. Where did that go? The other \$350 million, almost 70%, do the math, how much is that? Out of \$350 million, 70%, that's 70 times 3. \$210 million went to New York State, okay? And we're left with \$2 million. Now we can all be fired. We get \$2 million, whoopee. Nobody talks about that. That's an outrage! It is really ridiculous. Obama will not be reelected. He is the worst president ever. I mean really. This is an outrage. Outrage, outrage, outrage! I mean it's really awful. New York State took \$350 million, didn't say what they were doing with it.

As we can see from this comment, the lack of funds that were given to the districts is very upsetting to school district and building administrators as they are constantly

worrying about their ability to survive financially. Furthermore, this particular principal was very critical of the teacher and leader evaluation reform measures, and thus was not happy that they must agree to the policies in order to qualify for the funding.

“Failing” schools and financial incentives. Another important component of how money is used to advocate standards-based educational policy is revealed by looking closely at how PLA schools are funded. PLA schools are receiving extremely large amounts of money from the state in comparison to non-failing schools located in the same district. A reason that districts choose to allow schools to acquire the PLA status is so they can receive an influx of money. According to NYSED (2010a) the fate of PLA schools accepting this funding is that they will eventually either improve or be “phased out.” A “phased out” school does not cost anything for the district to run and allows for the possibility of private sector funding.

Also, while under PLA status, a “failing-school” costs the district very little to run as it is being subsidized by the government. When asked about the benefits of receiving PLA status, speech pathologist Clark offered the following explanation:

Well the good things are that you get a lot of money. But what happens is, so then we are going to go up [in our scores] and ...[then get] taken off the list. And you take away all of that money, and then we will go back on the list. There was a newspaper article last year that said [Westvale] is the lowest [scoring school]. And they go up and then they go low, because you take away all of those funds, which cuts the teachers, which cuts all of these interventions, which cuts all of these programs, which cuts the tutoring. I mean it makes ...perfect sense I don't know why the article was so shocking to people. So,...being a PLA school, we

get a lot of support and we get a lot of money, which got cut though because there was only three [PLA schools in Springertown] last year and now there's seven and I think [the] state, we'll say they only gave \$1 million to the PLA's schools. So last year we got a lot of money but this year the same amount of money got split... seven ways, so that's because we had to cut seven TA's and had to cut this and this.

Thus, it is evident that funds really make a difference in the resources that Westvale has at its disposal, which may impact their ability for students to improve learning. Clark also showed how funding is tied to supports that are so helpful that schools risk being taken off the list, which would mean they would no longer be able to count on these supports that were associated with their success. Funding, thus, creates a vicious cycle, where failing schools, because they are failing, can qualify for funds to help them improve, but once they improve they no longer qualify for these supports, which results in loss of progress and eventually being closed or categorized again as a failing school. This reality is in stark contrast to Governor Cuomo's rhetoric, which claims that because schools have not been progressing on standardized measures, they need to learn to "do more with less" (Bailey, 2011).

Investing money into the lowest-performing schools forces PLA schools to be even more open to adopting reforms. Once schools accept PLA funds, they must implement sanction-laden standards-based reform measures. When asked why her school had to implement the teacher-leader evaluations before other schools in the district, Slater, a school-level administrator answered:

I think the rationale is that part of the redesign... a part of what was in the plan is that we would observe and evaluate teachers differently; we would have a different model. And, that was tied to the PLA funds. The PLA funds are the funds that, you know, are tied to—you must have a—you've heard it on TV, I'm sure—that the new evaluation system has to be in effect for people to get their money. So, for PLA's to get their money, because PLA's in theory have more support (like we have five coaches, you know most buildings don't have five). We had five TA subs, which we don't have anymore. So that's why, it was all tied to, if you want the money, which was Race to the Top money I believe, you were going to do a new system.

Teachers and administrators may not believe that these choices and reforms are best for their district, but it is viewed as a necessary component of surviving financially. Slater later commented that the benefits of getting more money only go so far in terms of effectively reforming Westvale, she stated that: "It's like saying you have to go run this marathon, and you know, we will give you the best sneakers—you are PLA, so will give you the best sneakers and the best shorts. So what? You know, I have to still be able to achieve this in some way." Thus, the influx of money into a PLA school doesn't necessarily result in improvement on standardized measures, but they do result in the accelerated and forced adoption of the policies attached to standards-based reform.

The students at Westvale are caught in a political maelstrom of policies designed to close and outsource neighborhood schools. The neoliberal mechanisms used to incentivize and force schools into adopting policies are effective; students, parents, teachers, and administrators want public schools to survive, in order to survive the

schools need money. In many cases, this is why administration accepts standards-based policy, regardless of whether it is in their view the best for the schools. If schools begin to close because of not being able to financially sustain themselves (and we are currently seeing this occur across the city of Philadelphia (Mezzacappa, 2012)) the privatization of public education takes over. If **public** schools can survive, they are held hostage to “incentives” which force them to adopt governmental policies and procedures. New emphasis on the importance of equitably financing public schools is necessary, particularly in New York State.

Media and local press. In order to effectively implement standards-based policies, public buy-in is a necessity. Washington Post editor Fahri (2012) described the role the media played when proliferating the idea that America’s schools are failing. In fact, he claimed that schools are not in any worse condition than ever before. He also discussed how popular media sources rarely do necessary legwork to look beyond the taken-for granted rhetoric when reporting about education policy. The idea that now, like never before, schools are failing is something that Brantlinger (2006b) describes as a “manufactured crisis” (p. 213). The media has a significant role in the perpetuation of this socially constructed crisis.

In interviews, participants described the role of the media in representing education. When asked about the media, state-level employee, Hoffman stated that for instance, NBC’s Education Nation is, “oversimplifying it. You know I think their intentions are good... I don't think [they] focus on the right things in education.” Also, participants throughout my study also indicated how local media influenced the way that local schools were viewed, thus impacting community perceptions.

When communities and the larger society believes, due to media influence, that neoliberal policies are in fact the right way to go for schools, it becomes more difficult to work towards other avenues of policy making. Garcias, a district-level administrator, commented that a large portion of her job involves dealing with the media. She said,

They have a lot more ink than I do. That's something you're taught in the [administration program] and preparing, you don't have more ink than they do. It's what they do for a living. So you work hard and to try to work with them but they love sensationalism... it's frustrating.

Later in the interview, she commented on the influence of the media when she stated, “The media has a greater influence than...any academic or research journal.” Garcias acts as a public face for the school district, but she is aware of how the reality of schools is often distorted through the media.

Some teachers who were interviewed discussed how the media influenced the public to adopt a “blaming teacher” rhetoric (an issue I will return to near the end of this chapter). After being asked about the role of the media stated, school-level educator Gartner replied: “I think to say that we have poor teachers is a misstatement.” Clark, a speech pathologist, commented that when she hears what the media says about teachers she must take “a step back and I have to not take it personally. Even though, it really is meant as an attack on teachers. I think it’s very unfortunate, it's very unfair, and it's barking up the wrong tree.” Also Burns, a retired school-level administrator said the following about the ongoing role of the media in attacking teachers: “I started teaching in 1968, they were attacking teachers then. What it is I think is, generally, the public doesn't really understand the role that education has to play.”

Finally, participants noted concern regarding the role that the media played in influencing the local community. One administrator discussed the ways that parents understand the reform choices that are being made across Springertown:

I think it's the perception has changed, how they perceive what we do. I think they [parents] are very nervous... So, the perception has changed. And the parents comment, "Well you won't do it because of the budget." They misinterpret the information that's in the newspapers. The policy really hasn't changed.

Also, as noted by Fahri (2012), the media focuses on the "failing" nature of schools. Of this, Baron, an ex-teacher noted that when poor test scores and behavior are what is focused on in the media, "that is what the public is going to see," and if that is what they see, it is likely that is what the public will subsequently believe.

A powerful example of how the proliferation of the discourse about failing schools affects the perception of the community arose at the Springertown School Districts public budget hearing that I attended. At the meeting, the closure of Corrigan elementary school⁹ was being discussed. Springertown administration relayed to the community through the media and public hearings a list of reasons that the school should be closed. The reasons included: (a) Springertown school district would save a much needed \$3 million dollars by closing the school; (b) nearly 50% of students who attended Corrigan Elementary School were bussed in from outside the lines of the school; and (c) the school had been failing the students who attend Corrigan for years. After the proposal

⁹ This is a pseudonym for another urban elementary school in Westvale. This school has similar demographics to Westvale in regards to free and reduced lunch rates and having high rates of ELL students.

of the closing school was announced at the budget meeting, a parent arose to make public comment. She stated:

I am the former FTA [Family-Teacher Association] president at [Corrigan Elementary school]. Last year when they tried to close [Corrigan], I fought with my community and we saved the school. But then I didn't know [that] my child is at a failing school. Now that I know, I'm upset. I was unaware. I don't know where to go to look for the report cards. Now I know that closing [Corrigan Elementary School] is right. I don't want to keep my child in a school at a level that it shouldn't be. I now have your back in how we go forward to close the school.

This excerpt shows the powerful effect that the discourse around failing schools has on the public, on the community, and on parents, in particular. Parents want the best for their children; if they are told that their children's school is failing them, a parent is likely to do what they believe is best for his or her child.

This scenario was also reported on by the local Springertown media. This excerpt illustrated not only the power of the discourse around failing schools, but also how the media played a role in expanding such discourse.

Last year, when the former [Springertown] school superintendent proposed closing [Corrigan Elementary School], parents and others in the community fought hard to keep it open and won the battle.

That was then.

[Parent A], a driving force in the push to keep the... school open a year ago, told Superintendent [name] and the school board Wednesday [that] he supports the

superintendent's proposal to close [Corrigan Elementary School] at the end of June.

[The Superintendent] has proposed closing the school to save money and because it's academic performance is chronically low and the district does not have the money to give students and teachers the extra help they need to improve. It also makes sense to close [Corrigan Elementary School] because most of its students live outside the neighborhood, she said.

[Parent A], who leads the Syracuse chapter of the National Action Network, said last time around he did not know how bad [Corrigan] was doing academically. "I'm ashamed I didn't understand the data last year. It was never laid out," he said.

Last year, the school parent group came out strong against shutting down [Corrigan]. Wednesday, [parent B], president of the [Corrigan Elementary School] parent-teacher group, said she, too, supports closing the school because of its poor academic performance.

"I come to you today humbly to say I made a mistake," [Parent B said]. She said she wasn't given a clear picture last year about the academic performance or that most of the students at the school come from outside the neighborhood. [Corrigan Elementary School] students need to be moved to schools where they can get the support they need, [Parent B] said.

In 2010-11, the most recent year for which data is available, only 22 percent of [Corrigan Elementary School's] third-graders met the state standard in English and the performance of fourth- and fifth-graders was even lower. In third grade

math, 20 percent met the standard and fourth- and fifth-graders did worse than that. ([Springertown] News Paper, 2012, para. 1-7).

The media plays a large role in reinforcing ideas about school failure. Community members and parents often buy into the dominant discourses around school failure that are profligated in the media. The problem is that parents are only getting one side of this story. They are not adequately provided information that would help contextualize the evolution of the construct of a “failing school.” They are not given information about whether a particular school has become worse or better over time. They are not told where their children will go when the school is closed, and what the performance record is for their child’s future school (a large percent of Springertown School Districts schools are deemed as failing to some degree). Neoliberal rhetoric, as disseminated through the media, is a powerful tool contributing to the implementation of Standards-based reform. Children deserve to attend schools in their local communities, but the failing school rhetoric is more powerful than a parents desire to have their child in a neighborhood school that is labeled as failing.

The role of “research.” For decades research has been used to promote educational reform, and for decades there have been arguments about the legitimacy of such research (Allington & Woodside-Jiron, 1999; Mathis & Welner, 2010). Standards-based reforms manipulate the role of research in very specific ways in order to proliferate the policies that align with its vision of reform. For instance, NCLB legislation specifically calls for the use of “scientifically based research”. According to Giangreco and Taylor (2003), the definition of scientifically based research under NCLB narrowly defines acceptable approaches to research in education, effectively eliminating qualitative

and disability studies-based research from being viewed as legitimate forms of research. When speaking of RTTT, the Obama administration claims that its policies are not be based on politics or ideology, but instead based on “what works” in education (U.S. Department of Education, 2009).

The claim that the Obama administration focuses on “what works” is not without critique. As noted in my literature review, Mathis and Welner (2010) edited book where researchers took on the task of examining whether the policies put forth by the Obama administrations department of education hold up to legitimate peer-reviewed research. In other words, do they hold up to the standards that they themselves put forth regarding “what works?” Authors in the text looked closely at six priorities laid out in the blue print for reform. Overall each of the authors who conducted independent reviews of various policies, “concluded that the overall quality of the summaries is far below what is required for a national policy discussion of critical issues. Each of the summaries was found to give overly simplified, biased, and too-brief explanations of complex issues” (p.3).

Also, Kushamiro (2012) provides an in-depth analysis of how research is used to support government policy. He claims that there are often sharp contrasts between what seems like common sense and what academic research tells us. He states that “high stakes testing of students to performance pay for teachers, from turnaround policies for school to choice programs for parents, from less preparation for teachers to for-profit management of schools, current reforms not only lack a research basis, but more important, have already been proven to lead to wide disparities” (p. 79-80).

Thus, if there is not an abundance of scholarly, peer-reviewed evidence to support reforms, then what evidence is there? Millions and billions of dollars given under the guise of philanthropy have had profound influence in the creation of educational policy. Foundations such as the Gates, the Walton, and other for profit and often politically-motivated foundations financially support institutes, think-tanks, and even university programs to carry out specific research (Kashimiro, 2012; Kohn, 2004; Ravitch, 2010).

Even in this study, participants who supported (at least to some degree) standards-based reform policy, cited “research” to validate their claims about the effectiveness of proposed policies. When specific references were made to research, I traced the research back to its source to determine where the information being cited originated. This proved to be an interesting task, and I provide several examples below.

District level administrator Garcias, argued on behalf of the importance of focusing on improving the effectiveness of teachers above any other policy priority. In order to make this argument, she referred to research:

I think the most--when you think about policy--the most effective lever in my mind is focusing on teacher effectiveness. You'll hear me say, or, to repeat McKinsey and Company and those studies, and that is the main way to improve student outcomes is to improve instruction. And, the quality of the school system cannot exceed the quality of the teachers.

McKinsey and Company is a for-profit consulting firm¹⁰, not an academic research enterprise. The specific report that Garcias appears to be referring to is authored by Auguste, Kihn, and Miller (2010) and entitled “Closing the Talent Gap: Attracting and retaining top-third graduates to careers in teaching. An international and market researched-based perspective” (2010). In the first pages of the report, the words of Garcias are taken almost verbatim from the report: “The quality of an education system cannot exceed the quality of the teachers” (p.5). This evidences the powerful mechanism that authoritarian discourse has over the speech utterances of an individual, as noted by Bakhtin’s (1985) theories. This report claims that it is co-funded by McKinsey and Proof Points, which is a non-profit organization with a goal to support state level-education reform. The report does not however reveal other co-funders or how much of the funding came from Mckinsey and Proof Points. In other words, we don’t know exactly how much of this study was funded by for-profit groups. And Ravitch (2010) describes the connections that McKinsey and Company has with venture philanthropists, including Bill Gates.

When I attended the Commissioners Advisory Panel meeting, several state level employees, who defend the importance of implementing teacher and leader evaluation systems, also referred to research studies. Several times the “widget effect” was cited during the meeting. When explaining the need for the teacher-leader evaluation system, the state level employees claimed that; “the old paradigm, where 99% of teachers receive effective ratings, is called the widget effect, where all teachers are seen as

¹⁰ For information about McKinsey and Company see: <http://www.mckinsey.com/>

interchangeable widgets.” Again, later in the meeting, a different state level representative was asked about where the data came from to support using teacher and leader evaluation systems. The explanation given by the NYSED employee was: “The Widget Study took samples of data from around the country.”

The report being referenced in these examples is entitled, “The widget effect: Our national failure to acknowledge and act on differences in teacher effectiveness,” by Weisberg, Sexton, Mulhern, and Keeling (2009). It was published by the New Teacher Project, an organization led by Michelle Rhee for its first ten years. The funders of this report include the Robertson Foundation, the Bill & Melinda Gates Foundation, the Joyce Foundation, the Carnegie Corporation of New York, the Laura and John Arnold Foundation, the Charles and Helen Schwab Foundation, and the Walton Family Foundation. The report’s major claim is that teacher effectiveness is the most important component of improving school achievement and that in order to capitalize on teacher effectiveness a mechanism for evaluating, rewarding, and firing teachers is necessary. It is unclear that this study is actually viable research and the methodology and generalizability of this report’s findings have been questioned (Pacheone & Weigh, 2009). The lack of peer-reviewed research cited by those in favor of the implementation of Standards-based reforms is surprising, particularly given the rhetoric about the value of “research-based practice.” In fact, in the sum of my extensive data collection, there were no peer-reviewed studies referred to back up proposed policy changes.

Participants also described the role that research places in standards-based reform policy implementation. A variety of participants reported that the policies being implemented were not necessarily based on academic, peer-reviewed research. District-

level administrator, Kloser, claimed that “all of the stuff that Duncan and Obama came up with, that has no research base. Absolutely none. There is no research that says that these tests that kids are performing is helping.” Another district-level administrator, Garcias, said of research:

Jessica: How much influence do you see from academic literature?

[Garcias]: Very little. I think it's the one field where we don't use our own research.

Jessica: Why do you think that is?

[Garcias]: I'm unclear on that, I don't see, I think we use a lot of the literature from non-research journals. So what comes to the field is the non-rigorous research... Student retention, which is the worst practice in education, but what do we do the most? Retain students. We refuse to use research to inform practice.

Garcias and Kloser both pointed out that little academic research is used to change practice. Kloser was clear that in regard to policy making, research is not used at all. Garcia's appeared to lay the blame on both researchers and the education system in discussing the lack of influence of academic research on policy or practice.

When state-level employee, Davern was asked about how research is used to support current reform measures she claimed, “I think sometimes the research is too removed... We do try to rely on research-based instructional models where we see interventions that have been successful... Policies are more amorphous.” Here she provided a rationale for why policies are rarely based on academic research. She also claimed that the research that is done by academics is too removed to be utilized in educational policy. Again, she places both policy makers and researchers at fault for not

informing policy more substantially.

District-level administrator Kloser further elaborated on this problem:

There is a huge disconnect between research and practice... and I think there have been attempts to try to close it. And, you know many of the professors here have never taught... I think the other thing that happened is that, well, the attitude that there is research for everything... Either they do the research and don't follow the research, or they don't do the research. You can go back to pre-K education. It's been researched a zillion times that it's the most important thing. They're still not doing it. So how you would close that gap? I don't know, but is one of the hugest problems facing education. Because the research isn't used, the research tends to be all over the place. So, they say this study says class-size; this study says no class size. So, therefore, I can use my opinion... And, I think it does fall back on the University that they, the universities, have not been able to point to a body of knowledge.

The responsibility for disseminating a body of research that successfully affects school practice falls on the shoulders of academics, policy makers, and educators. Clearly this is a priority that needs to be considered more thoroughly.

With that said, there does seem to be an intentionally crafted research narrative around reform policies aimed to increase its legitimacy. The discourse permeated through research and disseminated by philanthropists and think-tanks influences the perception of politicians and educators. Because little or no peer-reviewed academic research exists to support these policies, large sums of money are dedicated to conducting such research. Simultaneously, a narrow definition of valid research emerges out of these policies (such

as NCLB's definition of "Scientifically Based Research"). This changes what types of research is viewed as valid, and may preclude research that is more likely to be critical of the policies themselves. It is necessary for academics, policy makers, and educators to play a role in improving the dissemination of research so that it can play a stronger role in informing educational policy.

Disconnections and connections. When policies are implemented, there is not a cohesive flow between various levels (federal to state, state to district, district to school), an issue repeatedly addressed by interview participants. Rather than thinking about these levels in a hierarchial way, according to Foucauldian theory, power transmission is a complex process and people at each of these levels are both subjects and producers of power-knowledge. It is therefore difficult to trace exactly how ideologies permeate through large institutions, such as the education system. Also, it is clear that the creation and implementation of policy do effect, to at least some degree, the practices and consciousness of institutional participants.

Regarding the implementation of standards-based reform, Spillane (1999) concludes that often the implementation of policies do not occur as the state intends. Spillane claims that using rewards and sanctions is a likely tactic to force implementation of policy (one that is currently being used). Yet, these tactics may not motivate local level participants to make the changes intended by such policies. This is particularly a problem when contradictions between policies and school context are perceived by local level teachers and administrators. The continued presence of authoritative (Bakhtin, 1981), standards-based ideology does not negate the influence of localized discourses of

individuals at the local, school level. As I will show in this section, the end result seems to be a partial acceptance of the policies, without clear cohesion between levels.

School and district level participants were critical of the expertise of policy makers overall, resulting in a belief that context and real life is misunderstood by those creating these policies. Kloser, a district-level administrator claimed,

There's such a disconnect between the feds and the state. And essentially none of them have ever taught. So they, they are sort of policy wonks that have no idea...[about] how it plays out in the district level and then in the classroom level. And, the truth is someplace in between. I think it lies somewhere between the classroom teacher and the district administration, in terms of what are realistic expectations for kids.

Nelson, another participant who once worked at the federal level, but who left the position because she was disconcerted with the politics, commented on the lack of expertise of policy makers:

I think in education policy in general, and I am one of these people, I think a lot of people making decisions are very well intentioned, but maybe don't have a background in education. They haven't sort of been on the ground and there's not enough conversation from the teacher level all the way up to really figure out like what are the things that are going to work and what is the framework for putting that in practice and still holding people accountable for results.

These comments showed a general lack of connection between the understandings of those making policies and those implementing them. The lack of "real" experience of those creating policies is an Achilles heel, at least from the perspectives of local

stakeholders. A challenge remains in finding a way for local knowledge to trickle up through the system instead of neoliberal and market knowledge trickling down through the system.

Policy makers are often inextricably connected to politicians and politicians have increasingly become education policy makers. Standards-based reform is one of the few areas that for decades, received bi-partisan support. The influence of special interest groups and corporations over politicians impacts the support for standards-based reform policies (Kohn, 1999; Kumashiro, 2012; Ravitch, 2010). Interview participants offered the following views on the role of politics in the implementation of policy. Some believed that politicians use the education system as scapegoat for all of society's problems, but simultaneously do not want to properly support the system. Retired school-level administrator, Burns, for instance, claimed that education reform is usually "just political games that people are playing. Education has always been a whipping boy for society. But they never want to fund it adequately... I look back now, 44 years and it hasn't changed much, it's always a political football." In the end, children pay the price for this game of political football, and according to district-level administrator, Skinner, "you got politics and you got education coming together and the big loser is kids."

A large part of the problem of having politicians involved in education policy making is the lack of understanding they have of how the education system truly works, particularly in urban schools. For instance, school-level administrator, Allan stated that, "you have politicians making educational reform laws who have no concept of what a school like [Westvale] looks like. Let's be honest, anybody who's in government did not go to school like [Westvale] because they all have money." When discussing the role of

the President in policy implementation, school-level administrator, Kroger noted that Obama “was ill advised. He’s not an educator. He has no idea about urban education.” In these examples, participants voiced concerns with the lack of local understanding that politicians have of urban environments, resulting in rhetoric of school reform that is not adequate at the local level.

Another aspect of this disconnection is that rarely are those who are charged with implementing policy in their daily lives asked for their input. When policies are simply imposed on teachers and administrators, frustration and distrust often occurs. As district-level administrator, Klosher commented, “I think because we don't trust people at the local level to make decisions then we make policies that will affect a hundred-thousand teachers.” Then Klosher later claimed: “Once we get to state-level policies and federal level policy... they have a problem and they try to fix it with a hammer.” Participants suggested that local knowledges are undervalued and blanket rules are often made without the consideration of context. As school-level administrator, Slater, claimed, “my real truth, in my opinion, states should not be running schools.”

Even from a federal level perspective, there isn’t enough input from those involved at the state level. As ex federal-level employee, Nelson stated:

My opinion is that there’s not enough [local input]. I mean I think that there should be far more engagement of states and sort of developing federal policy. My sense is that states sort of get these things and then have to figure it out and that it’s not often changing practice, but that it’s sort of figuring out a new way to deal with the system.

Later Nelson commented, “I also think that sort of more resources need to be doled out to the local levels to help districts and schools figure out what works best for them in their specific context.” As Nelson’s comment indicates, there is not enough consideration about local needs at the policy level. Policies are more or less put into place and then states and districts are charged with figuring out how to make them work for the needs of their students.

There is also a perception that teachers have a dearth of understanding of policies and of the actual needs of students and schools; if too many choices are left up to volition of local educators, things will run amok. These ideas permeated the discourse of higher level policy makers. When a district-level administrator Garcias was asked about how she works with special education teachers, she commented, “Teachers, you know, don’t always understand it.” Also, state-level employee Davern stated, “I think the current Regent’s reform is on target in so many ways and I think for all students it is. And from my perspective, it’s not the policy that’s our biggest issue, it’s the implementation that’s our biggest issue.” When asked why implementation is difficult, she responded, “I think the biggest gaps are in the knowledge and expertise of teachers, many of whom were trained so many years ago when there was a different set of expectations and needs.” School level employees reported feeling that policy makers were out of touch and that they did not understand the reality that teachers live in, whereas higher level employees reported feeling that the lack of understanding and inability to implement policy is the core problem.

District-level administrator, Klosher provides an in-depth perspective about the disconnect between policy and teachers when he asserted that,

teachers are insulated... But, the truth is a lot of all of this reform has been from the schools to support policies and state policies. None of it really filters into the classrooms. I mean, classroom teachers have really been on a roller coaster and all of that, but whether it ever fully gets implemented, you know, and I said years ago, testing kids hasn't been new. Bush and even before that, nobody here has lost their job over the test scores. As much as we've been trying to scare people into doing that... Teachers didn't even know [what] was going on at the district level. Now I'm fighting my butt off for money, or for policies and all of that. They're focused in [the] everyday in their work and their kids. They may not read the newspapers--they may not read the notices I send out. So, they are pretty insulated. I think this new thing of giving teachers a score--publishing them may be infecting them. [It] has got their attention... We were just talking at lunch [Kloser and a group of teachers], we keep setting up these sides for or against it [standards-based reform]... And it never forces people, to say what makes sense. How do we sit down and say to people, "get me 10 [of the] greatest classroom teachers and 10 great administrators and let them come up with a policy?" They will come up with the right policies that are good for kids. If you're trying to do it with people that are legislators, what do they know?

This comment reiterated both the perception that teachers don't have an in-depth understanding of policy *and* that classroom teachers and school-level administrators would be in the best position to make effective educational policy. The key difference in Kloser's commentary compared, to Garcias and Davern is that he believes that teachers

do in fact have important perspectives that would be invaluable given more decision-making control.

Policies are often not clearly explained as they travel through the various levels. Moreover, because educational policies are constantly changing, it is difficult for anyone to keep up with them. Baron, a teacher, described trying to keep current with the constantly changing policies,

You know there's always so many different programs and so many different changes, it's really hard to see what's coming from where. Each year there's something different and I really couldn't tell you where someone got this or that and how important it is, just because it all kind of gets mixed together.

When asked about policies, Johnson, another teacher noted; “every year something is different and it’s like, hey, wait a second, I thought we did this last year. No, they don’t want you to do that anymore; this year you have to do this.” Policies are constantly being changed and updated. It is difficult for individuals at all levels to keep up with the changes. PLA schools are even more affected by constantly changing policies.

With that said, teachers do have strong opinions about the ways that the policies affect their students. Teachers understand deeply that their students are not being adequately considered in the context of standards-based reform. Although influenced by the authoritative texts that are embedded into the ideology of school reform, they also develop their own contrasting ways of seeing policy, allowing for a more complex and nuanced view. Teachers I spoke with discussed their practice and how policies were both effective and not effective for schools. For instance, Davis claimed that for her kids,

testing policies “seem kind of counter-productive in my opinion.” Also, Curry attempted to explain her opinions to the redesign team; she claimed that they “didn’t like my out-of-the-box kind of thinking.” Although there is little support for going against the grain of policy, teachers are keenly aware that the policies are often not compatible with the needs of their students.

This section illustrated that there are many factors influencing disconnections between the creation and implementation of policy. There are many misunderstandings and local level teachers and even administrators are largely kept out of the decision-making process for implementing policy in their own schools. Clear divisions are created and sustained between different levels of power, and connecting perspectives becomes difficult. Even more challenging is implementing policies, while keeping special education at the forefront.

Special education and policy-making. Historically, students with disabilities have been excluded as policy making decisions are made (Thurlow, Ysseldyke, & Silverstein, 1995). However, NCLB legislation included both English Language Learners (ELL) and students with disabilities in the general accountability system. Even with this inclusion, at least one percent of students who are not included in the Regents level exams are essentially removed from the accountability system. Thurlow (2004) describes the ongoing challenges of keeping both ELL students and students with disabilities at the forefront of decisionmaking processes. Policy makers, in particular, struggle to decide how to deal students who are part of the alternate assessment, who need accommodations, and who don’t do well on regular tests. As Thurlow (2004) claims, states and schools have begun to “bite the bullet” and think about the inclusion of

students with disabilities because they now have to. Even though progress is being made, challenges still abound as students with disabilities continue to be an afterthought (Lloyd, 2000) when making decisions at district, state, and federal levels. Although there are efforts at all levels made to keep students with disabilities in mind, this is often very challenging and takes a great deal of advocacy on the part of those who know special education well.

Hoffman, who was a special education teacher and now works for the state, explained what she sees as the reason why special education is not usually adequately considered when decisions are made. She had recently attended a meeting where administrators were being trained on how to evaluate special education teachers in the new teacher and leader evaluation system and she suggested that “The biggest problem is people don’t understand what special education teachers do... So, I think at this meeting...this room was filled with principals, network teams, and they were struggling with how they were going to work this through.” She therefore did not feel that the regular education administrators truly grasped how to consider the needs of special education students in regards to the evaluation system.

Participants across the various levels described instances when the needs of special education students were considered only after policy implementation had occurred. According Slater, a school-level administrator, during the transformation planning process at Westvale, special education was barely considered at all:

Jessica: How was special ed. part of that conversation?

[Slater]: They didn't talk about it....they didn't discuss it.... It's all about general ed. kids getting 3's and 4's and passing—[And] us getting off of the state list.

Because what's happened is, even in [another suburban district], has been cited for special ed., so they use us [special education students] as their scapegoat. And, as far as I'm concerned, they would like to continue to do that. There is no plan. It's not just our district, it's every district. But they have no plan [for improving special education]. Then they can use us as the [scapegoat]... But again, you know, I'm not real good with the politics. I wish I was better at it, because someone needs to, because the more and more the stakes get higher, the more and more the kids that are at that 65/70 IQ level are going to get left in the dust.

Although Slater uses more traditional medical model language to describe students with disabilities, she is still frustrated that during the planning process at Westvale, the needs of special education were an afterthought. She also believes that this omission ultimately hurts special education students. Later, when discussing how planning for the Expeditionary Learning instructional program occurs, Slater claimed that, "last year they didn't even invite my [special education] teachers to the meetings. I had to push it this year [and]--we are not even. We are at least in the park now, but we are not in the game." It takes a great deal of effort to include special education students in policy making decisions, and even special education teachers are left out of important conversations, further isolating all involved. When the needs of students with disabilities are left out, choices are made that may not be in the best interest to those students.

Springertown's lack of ability to keep special education at the forefront of discussion is paralleled at the district level. National consultants were hired by the Superintendent to thoroughly review the district's special education department. One of the recommendations of the consultants was to create more cohesion between regular and

special education departments throughout the district. According to Nelson, who was one of the consultants of this review team, Springertown School Districts special education programs,

seem to be pretty siloed from other departments at the district. I think that the Superintendent was starting to institute some new meeting schedules so that everyone is sort of meeting together and talking about different issues would affect all kids in the district--instead of, sort of, you're responsible for this part and you're responsible for that. There was a lack of coherence in what people were doing.

Because special education often operates in a silo, separate from regular education, this impacts how decisions are made that affect all students, including special education students. However, clear attempts are being made to mitigate some of this separation.

At the state level, several participants discussed the role that the office of special education must play in advocating for the needs of students with disabilities to be considered in regular education policy making. Repeatedly, participants praised the commissioner overall, while also commenting on his lack of understanding of special education. Skinner, who sat on a state level committee, claimed that these issues were,

very much on their [office of special education] mind. The problem is it needs to be on everybody's mind up there. It can't just be the Office of Special Ed that is trying to deal with it. So, it's all those divisions and departments work[ing] together, which they're never really good at. They're getting better at it.

Even state-level employee and prior special education teacher, Hoffman, had a lot of recommendations for including special education at the forefront of decision making at

the state level. She stated:

I'm a real believer in direct, explicit instruction and I know that's not part of the current Race to the Top thinking, I think eventually it will be. I think that's because students with disabilities are an afterthought... I like our Commissioner... I don't think he knows a whole lot about educating kids with disabilities, and I can tell you that the upper management of my office is working with his office to say okay, we get this. [We] will make sure other things happen also. If I had my way, I think I would also, in terms of Race to the Top, I think he should have an assistant commissioner whose background is in special ed., whose right next to him and saying you know, okay we can take those comments for standards and here is how it will affect students with disabilities. It's not; I think often special ed. gets equated to extremely simplified and dumbed down. I used to say its squalor. I think you can see--if you are a skilled practitioner--it's nothing like that. It's making connections, its teaching kids to make connections, its reasoning. I would love to, I wish I had an hour with [the commissioner]--let me tell you what I know about it, because I have been out there forever.

Hoffman's comments revealed how even if regular education policy makers have good intentions, they don't necessarily understand the in-depth needs of students with disabilities. These general misunderstandings can be damaging to students with disabilities as decisions are made.

State level employee Davern described ongoing efforts to enhance the collaboration between the department of special education and the regular education policy-making department:

I pushed very strongly for the restructuring of the department. And, I think there's a tremendous acceptance and recognition of the need for the involvement of the staff in the Office of Special Education with the staff of all the other offices in P-12. So I mean I have contact with the commissioner all the time and with the deputy commissioner and with my fellow commissioners within P-12, across the various offices dealing with data, dealing with curriculum, dealing with turn-around, dealing with charter schools, dealing with accountability. We are in constant communication and collaboration in order to be sure that the things that are being developed that we are considering the needs of the special populations during all phases of development.

Although I saw attempts being made to close the gaps, it was unclear whether these attempts would be able to mitigate all of the many misunderstandings that regular education policy makers have about special education.

The problem of keeping special education at the forefront of decision making is also of concern at the federal level. District-level administrator, Klosher explained that he feels this is a clear issue in policy making:

What I have heard in terms of making federal policies and then enacting them is that students with disabilities are a second thought in terms of, we'll make the policy and we'll deal with the policy, and then we'll think about later how to deal with the kids disabilities.

Klosher's perception is that this occurs during federal policymaking, and Nelson, who used to work at the federal level, elaborated on this issue. When asked how special education is considered in general policy making processes she said,

I don't think that that's something that is done well. Even within the department OSERS [Office of Special Education and Rehabilitative Services]... OSERS is sort of seen as the red-headed stepchild of the department. It has historically been the place where people who were not doing their jobs effectively in other offices were sent... And it is physically located in a different building than most of the department offices. And that has been a real struggle; I think, throughout time in how to make people understand sort of what special ed. is and who students with disabilities are. I think there are just so many myths about who students with disabilities [are], you know? And, I think there is a big learning curve for this administration. I mean Arnie [Duncan] testified on the Hill once sort of early after I joined and he was talking about using IEP's as an accountability tool for students with disabilities. And like the whole office, it was just like a collective sigh of you know, you don't get it. And that's Alexis' [Posney] job is to, on the policy committee and in other forums, to be raising issues as they effect students' with disabilities and help people think a little bit more proactively. And it ended up being a lot of backlash from the disability community about the administration's sort of consideration of policies that effect students with disabilities. So there was at least from a communication standpoint [a] greater effort to include students with disabilities so, you know, literally we would have to read all of Arnie's speeches before he would present them and any place where he would talk about struggling students, make sure that he mentioned students with disabilities... So I don't know if that has translated to, you know a better understanding and actual sort of proactive consideration of the impact, or if it's lip

service... It was shocking to me... students with disabilities are often siloed from gen ed. issues when they are so connected.

Even at the federal level, efforts are made by those individuals who are involved in special education to keep at the forefront the needs of students with disabilities. However, there is a stigma and a lack of understanding about the true nature of special education. Not only is special education misunderstood, but it is literally looked down upon.

One reason that students with disabilities are considered in policy making is because there are strong advocacy and special interest groups who work on behalf of students with disabilities. According to Nelson,

You know there's a lot of disability advocacy communities that are extremely well organized and very strong. And there are many advocacy groups that are focused on students who would fall within the one percent. And, so I think that that's a real benefit that, you know, if OSERS, if for some reason, some policies are released that doesn't take that group into consideration--like the department hears about it and they hear about it quickly and with force. And they are also very connected with Congress especially Senator Harkin he's a great advocate, so that has been, I think, an important lever for keeping those kids in mind. Clearly there is at least some activity to keep the needs of students with disabilities in mind during decision- making. However, there remains a pervasive lack of understanding and stigma around special education in society, which may not necessarily make these tactics effective enough. Also, not all individuals who are part of the disability community, who work in offices of special education, or who speak of for students with disabilities have similar ideas about what the best policies for students with disability are.

Rarely do these groups include the perspectives of families and even fewer include the perspectives of students with disabilities themselves, a reason why the mantra “nothing about us without us” (Charlton, 2000) has arisen within the disability rights movement. Furthermore, the medical model still prevails within special education. Thus, even though there are strong groups speaking for people with disabilities, it is not necessarily the case that these groups truly speak for what students with disabilities would choose for themselves.

Who is to blame for school failure?

This chapter has explained the priorities of standards-based reform and the practices used to implement the reform. When collecting data and writing this dissertation, I was struck that standards-based reforms were effectively implemented by taking the onus of responsibility away from society and placing it on the shoulders of teachers, students, families, and communities where students are embedded. Apple (2004) in fact stated that “we are witnessing a process in which the state shifts the blame for the very evident inequalities in access and outcome it has promised to reduce, from itself onto individual schools, parents, and children” (p. 24). Although I agree with Apple, I would add teachers and educators to his list of who has begun to take the blame for our societies educational problems. Earlier, I noted that some interview participants explained that they felt the media puts ill-placed blame on teachers. Discourse, which effectively blamed teachers for school failure also emerged from some interview participants.

I found that high-ranking interview participants, who reportedly felt that the

current trends in standards-based reform were in fact the best possible reforms we could be embracing, adopted a rhetoric that ultimately laid the blame for school failure on educators. Much of this focus was on improving instruction and I realized that this was a sort of code for improving the quality of the teaching itself; and thus improving the quality of teachers. This, I realized was in fact a logical reasoning to push forward the agenda of standards-based reform. Some of the core goals of the reforms include evaluating teachers, diminishing the power of the teachers unions, and generally privatizing education. In order to achieve those particular goals, the onus of blame must be placed on teachers and removed from social inequities that persist.

To provide an example of this, district-level administrator, Garcias strongly believed that the answer to Springertown's problems was to improve instruction. She stated that no factors matter as much as teaching and said that her, "role is to improve the quality of teaching in schools and I think that if you improve the quality of teaching you will improve educational outcomes...More than anything else improving teaching matters." Later, I questioned Garcias about how the needs of ELL students and special education students were being met at Westvale. When I asked this question she stopped me from asking that question, and explained:

I want to be clear on something because I think districts use this as an excuse, [Westvale] is not performing because the quality of core teaching is poor. Before you even get to English language learners and students with disabilities, which does make it difficult, the basic core instruction is very poor. So it would be a lot easier to make AYP if the core instruction was where it needed to be. And I think that until we deal with basic core instruction we are going to keep trying to say,

what do we do about the English language learners? The English language learners would do better if the core instruction was better. And I think we have not done a deep analysis of how the general ed. students are doing. Everyone is doing poorly. I mean really, if you do an analysis of that data the general ed. students do nearly as poorly as English language learners and students with disabilities and that is the elephant in the room that we refuse to deal with. And until we deal with that point we will not improve this school district.

Garcias explained that she does not feel that student difference affects the performance of schools such as Westvale. Her sole agenda to lift achievement in Springertown is to improve instruction and teaching.

Again, similar sentiments are described by state-level policy makers, Yunaska and Davern. Yunaska stated:

I believe we're going in the right [policy] direction. It's naïve to think that schools can do this on their own... I would certainly find a way for us to reward excellence in a way that's probably more effective. It's highly likely that they [failing schools] don't have strong instructional practices early on... if you go into a poor performing district, what you often find in general education programs is children with the most challenged reading problems are educated, are instructed, by the least qualified people. And when you see those practices you say, "well now I understand what's going on."

Yunaska thus commented that he too feels the policy trends are headed in the right directions. Like Garcias, Yunaska explained that the reason that schools are failing is because of unqualified teachers and poor instructional practices.

When I questioned state-level administrator, Davern about how current reform policies are impacting students with disabilities, she replied:

I don't think it's [standards based reform policy] affecting in any negative way. I think it's affecting it [special education] in a positive way. I also think that some of it is fulfilled by the fact that there is such a need for such highly competent and skilled teachers that we don't have everywhere we need them either... we need to use our data to help us evaluate how students and teachers in schools are doing in order to know where we need to make changes. And we need to take action when the district or the school is not sufficiently addressing the issues that are identified. I think these are the right policies for all students.

Therefore, Davern also believes the current policies are going to help children. She feels that by appropriately using data, we can pinpoint the instructional problems that arise in schools. When those "problem" areas are pinpointed, the policy response is that we fix or eliminate the problem people or the problem schools.

Several school-level teachers and administrators talked back to this teacher-blaming rhetoric. Long time teacher and current instructional coach, Davis stated:

As we move into this whole new teacher evaluation system, and the ideas behind it have been coming up for a long time that you know looking at teachers as, I hate to say it and make it sound so negative, but almost like they're the root of the problem which is sort of felt going through that redesign process at [Westvale]. I think a lot of teachers felt like they were being blamed for the perceived failure of the school when there was so many factors at play there that you can't really say well, you [Rhonda Davis], fourth grade teacher, didn't have enough kids pass on

the test so you're not effective... It's tough because there's a lot of needs, and there's a lot of kids coming in well below where they should be developmentally. So, if you got a five year old who functions like a two year old you know, and they have to read by the end of first grade that's a really big job, [and] I don't think people who aren't teachers understand that... You know then it's the big blame game of, "oh their parents should have done that for them." Okay what if their parents don't? You know what I mean? So there's a lot of issues at play that I don't think the public understands and they just see it as bad teachers. "Oh he must be a bad teacher." So there is a lot of judgment and I don't like it... but to compare the suburban school where my kids go to school to [Westvale] is just you can't compare. And it doesn't have anything to do with the teachers; it has to do with your population.

Davis is talking back to the discourse which blames teachers for the failures of schools and students. She explained that in the public dialogue it is the parents or the teachers who take blame, and that this is an inaccurate and unfair portrayal of teachers, because in fact student demographic does make a difference in the performance of schools.

School-level administrator Slater, similarly talked back to this discourse. She claimed:

I think a lot of times what happens is, a lot of people just want to look at instruction, and they say "with better instruction everything else will fall into place." I'm the opposite, I believe if you don't have sanity, if you don't have some sort of structure in place, if a kid can't come to school and feel safe and feel like they can learn, and be fed, and all of those other things, then you could have

the best instruction in the world, and it's not [trails off]. You know, if I don't get physics, you could be the best physics teacher in the state, but if I'm hungry and it's chaos, or if I'm coming to school and I'm getting bullied, or there is no one help me be safe. So I think that a lot of times that gets lost.

Slater clarified how she believes that blaming teachers and placing all the focus in policy making on improving instruction does not help the outside factors that students who attend urban schools face.

A key tactic of standards-based reform is to explain away student difference by focusing reforms on “fixing” schools, teachers, students, and communities. The discourse of improving instruction is effectively a code for blaming teachers for student difference. I am not claiming that improved instruction is not one component that is helpful to improving schools. However, focusing only on improving instruction in isolation means that reforms are not held accountable for dealing with larger inequities and student difference.

Many students who attend urban schools are not gaining access to education that will set them up for lifelong success. I agree that some educational reforms are necessary and rightly focused on improving many aspects of schools in the United States. However, the current policy trajectory will not solve many of the educational problems that our schools face. In fact, the policies themselves perpetuate inequity and there is no evidence that we could not reach some of the rhetorical goals of standards-based reform through other policy approaches. Brantlinger (2006b) explained that standards-based reforms reify hegemonic norms and purposefully benefit able-bodied, white, straight, English speaking, and middle and upper class groups. Policy which attempts to mitigate inequity,

not perpetuate it, is necessary.

After embedding myself in the discourse of standards-based reform, I have come to believe that increasing emphasis on desegregation and inclusion is perhaps the only way schools can truly eliminate the “achievement gap.” Administrators, teachers, students, and families are all harmed in schools where there is a concentration of poverty and other adverse elements that remain unaddressed. Standards-based policies that promote increased segregation of students and only deal with failing schools through increased surveillance, punitive sanctions, and closing and privatizing schools will not address the larger issues of inequality. Furthermore, when you consider the financial incentives, media influence, “research” bias, and a lack of clear connection between policy and implementation, it is even more difficult to think about who’s interests are truly being served through standards-based policy.

Conclusion

Some of the priorities of standards-based reform policies include standardized content, standardized assessments, teacher and leader evaluations, and the implementation of robust accountability systems. These policies are presented by reformers as necessary for the well-being of our country and a requirement to promote and achieve equity. However these very same policies have been proven in many cases to negatively impact some of the most disenfranchised citizens of our country and to increase inequity among schools and students (Dudley-Marling & Baker, 2012).

Furthermore, standards-based reform policies are not necessarily welcomed by administrators, teachers, students, parents, and communities, resulting in top-down policy

implementation. Many administrators, teachers, students, parents, and community members understand the negative ramifications of these reforms and partake in active resistance to undermine the reforms. However, based on the perspectives of those I have interviewed, the dominant discourse is currently prevailing. Tactics that effectively force schools to adapt to these reforms include financial incentives, the media, and research, which taken together have been quite successful in promoting the current reform agenda. These processes have specific ramifications for students with disabilities, but this is often left out of the conversation. There are both benefits and drawbacks for students with disabilities resulting from standards-based reform. Despite the positive aspects of these reforms for students with disabilities, such as high expectations, there is no evidence that we could not reach these same positive outcomes for students through other policy avenues, while also mitigating the other negative effects of standards-based reform policy.

Chapter 7

Conclusion

Standards-based reform has changed the face of education, particularly in “failing” urban schools, which are confronted with intense sanctions if students do not excel on state tests. Many educators recognize the limits of standards-based reform and continue to implement teaching practices that truly work for students with disabilities. Handley, who teaches inclusive education, is one such teacher. She explained how teachers may miss students’ abilities if they are too focused on the standardized exams. Currently Handley teaches in an inclusive Pre-K classroom at Westvale Elementary School and is not yet required to use state tests to assess her students. She explained,

We are supposed to do all of our assessment by observation. So that really allows us to bring in activities and observe in the way that the child can be expressing the best of their abilities... But this is not how testing will be [when they go into Kindergarten]...I think that a lot of children grow [up] with idea of that if their test scores [and] grades [are] not so wonderful, there’s something wrong with them...I’ll give you an example of a child that I had last year, an adorable kid: He...was not English speaking, but...he was able to understand both [English and Spanish]. But he, in his home they only spoke Spanish, so it had more to do with the level of comfort for him. And the other thing [is that] he wanted to be a mechanic. He wanted to take things apart and he did this so fast. I mean, he would take that chair apart, I am not kidding. In 10 minutes, there will not be a screw in place. And he was amazing. But, he wouldn’t go into many more diverse activities...he would not be interested in that many [activities] except for [things

that related to] screws and hammers, but he had his level of ability. If I did not bring things that he could do in the classroom, that he could take apart, there would have been a lot of conversations that I wouldn't have been able to have had [with him] and [I would not have] actually had a sense of his language. His sense of size and things that fit and what you need to do to compensate for weight--he was amazing, amazing, amazing. He has a lot of wonderful gifts, but you need to figure out how he's going to show [his gifts]... It's not that he's unable to elaborate on a thought and say what he would like to do... He can do it, but you have to have almost, like an engine in front of him and, you know, a tire. We brought tires, we brought all this different stuff and he was awesome. And that allowed other kids to see how awesome he was and come in and ask him for ideas and then he started to work with other [students]. But before that, don't put him into, you know, don't say "can you bring me a doll or do you want to play doctor?" He was not going to do that kind of thing...He had to go through his interest.

This student that Handley described is a student with a disability who she was able to view as an intelligent and competent child. She explained that because she was able to evaluate this student through observations, she was able to learn about his interests and strengths. Importantly, she recognized how her own views of this student also shaped how his peers perceived his abilities. In other words, because she was able to capitalize on his abilities, his peers could see "how awesome he was." Handley expressed concern that as this student enters Kindergarten, teachers will not view this

child through a lens of competence because of the types of assessments they will have to use.

Handley followed up this story with the following sentiment regarding the No Child Left Behind (NCLB) Act: “When we’re talking about not being left behind, what that translates to me is that their grades will not reflect their ability and that’s what the title... No Child Left Behind means [to me].” It is thus reasonable to question what the future will look like for the young man that Handley described as bright and talented. When she saw this student through a lens of competence, he was able to learn through his interests and excel in the classroom. If standards-based reform remains on its current course, it is likely that as this student grows up and moves through the years at Westvale and beyond, his classroom environments will become more standardized and increasingly segregated. I cannot help but to wonder whether this student will continue to be viewed as a capable and intelligent child. Or, will he be viewed as a child who is unable to excel on standardized tests, who has limited interests (that don’t fit into the Common Core standards), and who needs to be segregated because of his ELL and disability status? Will limited vocational and diploma options prohibit him from becoming a mechanic? Will this young child be placed into a track that will dictate his future as early as Kindergarten?

These questions may be unanswerable, and certainly all students have unique paths. However, I am concerned that the standards-based reform movement is creating circumstances that substantially limit the future opportunities available for students with disabilities who attend urban schools that are labeled as “failing.” This is particularly a concern for students whose intersectional race, class, language, and disability identities

are compartmentalized through standards-based policies. This dissertation therefore documents important trends regarding how the standards-based reform movement impacts special education.

Key findings

In the remainder of this chapter I will highlight key findings that arise in each of my data chapters. I also draw upon the theoretical perspectives that are the basis for this study in order to understand the significance of these findings. The major findings in this dissertation focus on the process that Westvale went through upon being labeled a failing school and how policy priorities and processes that are embedded in standards-based reform impacted special education in one urban school. In particular, I was able to show the impact of standards based reforms on inclusive education at Westvale and in Springertown School District.

The story of Westvale. Chapter four reveals the process that Westvale went through on the road to becoming labeled a “failing” school. In this chapter I chronicled how the experience itself was a very painful and emotional one for educators and administrators alike. I also discovered that during the process, Westvale went from being a school that was fully inclusive to being a school that operated a variety of segregated programs. As I noted in my review of literature, many schools across the country are also becoming labeled as “failing” (U.S. Department of Education, 2012). Research has indicated that receiving this designation and going through the sanction-laden school-wide reform process that NCLB requires is relatively ineffective (Sunderman, 2006) despite the influx of money these schools receive. The process that Westvale went

through is increasingly becoming more common, particularly in locales where there are high rates of poverty. Although the story of Westvale is one that is unique, there are important lessons to be learned that extend beyond this school and even similarly situated urban schools.

Westvale quickly became labeled as Persistently Low Achieving (PLA), the harshest designation a school can receive. I was surprised when I discovered that Westvale was penalized for having high numbers of English Language Learning, special education, and Black and Latino students. As Darling-Hammond (2007) has explained, the very definition of Limited English Proficiency (LEP) means that students do not meet grade-level standards in regard to speaking English. It is no surprise that Westvale became labeled as a PLA school, because of the sheer number of students at the school who were LEP. Many of the LEP students were also designated as low-income, Hispanic, Black, and/ or special needs in the mandated disaggregation of test scores. Many students were thus counted as failing in multiple AYP subgroups. My data thus brings to life what Darling-Hammond (2007) described as the “diversity penalty” that poor and urban schools face (p.247). Both schools and students were penalized for merely falling on the “wrong” side of the subgroup identity binary, which was set up by the No Child Left Behind Act as a way to ensure that schools maintained high standards for all students, but in actuality it has been most damaging to those very same groups.

I was also struck by the fact that the “turnaround” models that schools are required adopt as a PLA school are sanction-laden. Trujillo (2012) explained that when schools are forced to adopt school turnaround models, the classic catch-22 analogy applies because the policies themselves are based on illogical reasoning that actually

undermine the ability of schools to excel. She clarified that the practices that turnaround models force schools to adopt have been proven by years of research to actually be harmful to schools. For instance, Trujillo cited the instability that is created when teachers and leaders are required to leave schools. Certainly Trujillo's points are relevant because many of the choices Westvale was forced to make seemed counterintuitive. For instance, the administration at the school was actually rated effective during a review of the school, yet the administration was forced to leave the school because of sanctions associated with their PLA status.

Because teachers and administrators did not want to face further sanctions, the desire to improve test scores at Westvale understandably became a tremendously important. The school was even threatened with being closed if they did not succeed in raising test scores after only three years. At the same time, it seemed to the staff to be nearly impossible to raise test scores with such a diverse student body that was surrounded by poverty and generally lacked access to many resources they might need to excel in school. Unfortunately, the scores were released for Westvale shortly after I completed collecting data and the school had not improved its scores despite all of the efforts two years into the "transformation" process. It is hard for me to believe that the school continues to fail simply because of poor instruction, as purported by advocates of standards-based reform.

Yet, although the policies themselves are based on illogical presuppositions, teachers and administrators are in many ways embedded within the discourse (Foucault, 1990) of standards-based reform. Thus, teachers and administrators make decisions about how to educate students that they might not otherwise make, such as segregating

students. These decisions regarding how to treat students with disabilities not only go against the law as set forth under the IDEIA, but are also in many ways the opposite of what research has shown to work well for students with disabilities. Unfortunately, the choices to provide more restrictive environments and to focus on remediation for students with disabilities were not necessarily counterintuitive to the logic that the discourse of standards-based reform sets forth—a logic that the administrators, teachers, and policy-makers eventually adopted as their own.

The impact of standards-based reform on inclusive education. Chapter five builds upon the process that Westvale went through in becoming labeled as a “failing school,” but focuses on themes that relate to the inclusion of students with disabilities in light of standards-based reform. A major finding in this chapter explains how even if some students with disabilities were in fact receiving increased access to regular education *content* as result of standards-based reform, these same students were likely to receive this instruction in more restrictive environments. This phenomenon, I found, was not only prevalent at Westvale Elementary School, but also across all of Springertown School District as evidenced by the adoption of Prioritized Curriculum (PC) classes. If this district is any example, any gains made toward making schools more inclusive may be lost in the wake of standards-based reform.

It is not by any means impossible to implement school wide inclusion--even when confronted with mounting pressures emanating from the standards-based reform movement. In order to effectively implement inclusive practices, however, it is essential to have effective leadership that is committed to the philosophy of inclusive education. When Westvale successfully implemented a model of inclusive education, it was because

an administrator who led the school down that path was committed to the principles of inclusion, and thus was able to motivate staff to follow her lead. As noted previously, the discursive structures that undergird Neoliberalism and standards-based reform are clearly powerful, but I believe that counter narratives, or new genres (Bakhtin, 1998) can be introduced to leaders who can in turn work with standards-based policies and still carry out school-wide inclusive models (Hehir & Katzman 2012). Allan, a school-level administrator, who put into practice the inclusive model at Westvale, is a good example of this; she was previously enmeshed in a variety of genres that influenced her understanding of inclusion. For instance, she had a child with a disability, she attended professional development seminars that convinced her of the benefits of the model, and she was previously a special education teacher before becoming an administrator. Thus, standards-based reforms do not necessarily pose a threat to the implementation of inclusive schools, but the possibility of this threat must be considered and planned for. It must also be acknowledged that standards-based reform threatens to impede upon progress that has been made in the fight for inclusion.

Another key finding in chapter five showed how many participants believed that it would be best for students with disabilities (particularly those who were behind in grade-level literacy and math skills) if they could spend more time making up for what they lacked so that they could pass the tests. This meant that many special education students would spend time being pulled out of classrooms or they would be placed in self-contained classrooms, where the focus tended to be on remediation of basic skills. For many students, this intensified focus on remediation was problematic (Brantlinger, 2006)

because they tended to miss meaningful content and were never afforded the opportunity to engage in high quality content in which they may have strengths or interests.

When schools are extremely pressured to get students to pass tests and the tests themselves are comprised of a narrow set of skills, the inclination of educators is to provide instruction they believe will help students be successful on the tests. This penchant for remediation extends beyond just students with disabilities. One district-level administrator even felt that because the entire school was failing, all of Westvale should focus on basic-level learning, instead of spending time on content rich project-based learning. The type of learning that many turned to was most certainly not the best way for students to learn or to be motivated to learn (Kohn, 1999).

Even though I knew that the segregation of students with disabilities persisted as a large problem at the middle and high school level, I was surprised at the extent that Springertown School District responded to the demands of high-stakes tests by creating new self-contained tracks of classes for students with disabilities. These “Prioritized Curriculum” classes were based on a modified set of content standards. Part of the reason administrators and teachers felt these classes were necessary was because it was supposedly considered to be “unfair” to modify content in Regents level classes. Also, an assumption was maintained that if a child could not pass the Regents tests, then similarly, they should not be able to do well in the class. According to state-level employee, Davern, if there was a discrepancy between the test score and the student’s achievement in the Regents level course, it meant that the teacher was not doing his or her job properly. The “solution” that schools adopted was to remove the student. Thus, the burden of failed policy then was placed on the shoulders of students and teachers. I also

found it striking that no attempts were made to keep students in regular classrooms by using inclusive practices, such as universally designed instruction or differentiated curriculum, particularly because the Blue Print for Reform (U.S. Department of Education, 2010) mentioned universal design as a best practice. Furthermore, if a student had an IEP goal that indicated that he or she needed a modification of content in order to access regular education that in itself was used as a justification for physical exclusion.

These issues of segregation coupled with extremely stringent diploma requirements that exist in New York State limit the inclusion of student with disabilities in both school and in society. Policies surrounding diploma options, which do provide alternate pathways for students (with and without) disabilities to obtain standard Regents diplomas have become a major issue in the state. Students who have disabilities are able to access alternate diplomas, such as the “Local Diploma” and the recently created “Skills and Achievement Commencement Credential,” but these credentials and diplomas do little for a student’s future. Furthermore, students who do not have disabilities and who do not succeed on state tests are likewise left with no viable option to graduate high school—significantly contributing to high dropout rates (Lillard & DeCicca, 2001).

Overall, this study helps to document how standards-based reform is changing the way that teachers and administrators ultimately view students. There are increasingly higher and higher stakes attached to getting students to pass examinations. Education itself is being looked at more prescriptively and schools and teachers are evaluated (either directly or indirectly) based on how well their students’ do on high stakes tests. When students are unable to develop knowledge linearly, as prescribed by content standards and

when they cannot demonstrate their knowledge through standardized exams, they are viewed as unworthy of being included in classrooms and in society at large.

Priorities and implementation strategies of standards-based reform. Chapter six uncovers the policy priorities and practices used to implement standards-based reform. Because the Obama administration has altered the course of the No Child Left Behind Act in many ways, this chapter emphasizes the emergent trends in standards-based reform. New York State is a particularly apt locale for this analysis as it a state that has agreed to implement the policy priorities of the Obama administration in exchange for Race to the Top grant funds.

In the first half of chapter six, I look closely at how the current policy priorities including a national set of common standards, state tests to track student achievement, teacher and leader evaluation systems, and accountability systems impact students with disabilities. Similar to others who have studied how students with disabilities fare in light of standards based reform (e.g. Christensen, Decker, Trizenber, Ysseldyke, & Reschley 2007; Cole, 2006; Gentry, 2006), I too found that a variety of unintended consequences arose, which disproportionately impacted students with disabilities. These included a narrowing of the curriculum and an increased focus on teaching to the test.

An important topic that I uncovered, which has not yet been well researched, relates to the teacher and leader evaluations. Because Westvale is charged with implementing the evaluation systems prior to any other schools, I discovered some emergent issues as they relate to students with disabilities. Related to this topic, I discovered that even though policy makers proclaimed that it was feasible to control for difference in the statistical model, which links test scores to teacher evaluation scores,

many participants were fearful that this could not be done accurately. I also found that there was a concern that the evaluations would negatively impact the inclusion of students with disabilities, as educators may presume a student with a disability would potentially bring down their scores.

In regard to accountability, it was very useful to obtain a perspective from state level employees, as they were able to paint a picture about how the system works on a larger scale. I found it surprising to learn that in the process of accountability oversight, low performing schools were subject to intensified scrutiny and surveillance. Because there have been attempts to align special education and regular education in the accountability process, only schools that were failing were being evaluated for both NCLB and IDEIA accountability compliance. This was a particularly important finding because it meant that low performing schools were pressured to focus their resources and their attention on complying with the requirements of NCLB above other laws, such as the IDEIA. This occurred because administrators understandably placed their energy in meeting the accountability requirements associated with standards-based reforms, as failure to do so would result in extreme repercussions and sanctions.

I also found it interesting to learn about how standards-based reform was being implemented. The most important tool that the government has at its disposal to force constituents to adopt policy is by using financial incentives. As I was learning first-hand about the stark inequities between schools, it almost felt that there was an intended effort to strip already poor schools of much needed money so that they were basically coerced into accepting funds from programs, such as Race to the Top. District-level administrator, Kloser's comment was particularly striking to me, as he admitted he was willing to "sell

his soul” for much needed funds. It was clear that Kloser did not necessary feel that the policies he was agreeing to were good for the district, but he had no choice but to accept the funds, or the district would not have fiscally survived.

The media and the dissemination of research were also mechanisms that promoted standards-based reform. These tools were important components of how authoritative texts (Bakhtin, 1981) were being disseminated. As such, it is necessary that society at large buys into the discursive logic that these reforms present. As delineated by theorists who describe Neoliberalism (e.g. Apple, 2004), standards-based reform is successfully implemented by changing the way the general public thinks. Thus, even though the policies themselves may not be logical (as noted by Trujillo, 2012), the public begins to adopt these new forms of logic, thus making the reform choices appear rationale.

This permeation of a new logic was, however, only successful to a certain degree. I found that rifts continued to exist in understanding and buying into policy, particularly between levels of power or authority (for instance between teachers and policy makers). Even though all the individuals I interviewed were part of the system of discourse to varying degrees (Foucault, 1990), their affiliation with other genres (Bakhtin, 1998), such as the perspective of an administrator who had a child with a disability, meant that they may or may not have truly believed or adopted the discourse that the policy set forth. It is therefore worth noting that policy makers and other higher level administrators often saw teachers as the main obstacle to implementing policy effectively, where many educators or school level administrators viewed policy makers as out of touch with the realities of the education system.

It was also important that even though a variety of mechanisms are used to implement policy, special education is often left out of decision making at all levels. Thus, schools, districts, and policy makers too often must consider how to think about students with disabilities after policies have already been implemented. This often leads to the creation of policies that are ill-suited for students with disabilities. For instance, special education students were not discussed at all during the “transformation” planning process. Thus, when the new administrators arrived they quickly decided to use a model that relied on segregated classrooms.

Finally, I surmised that standards-based reform has been as successful as it has been because its discourse blames school failure on schools, teachers, and students, rather than larger inequities or structural problems, like poverty. According to Hursh (2007b), standards-based reform is successful because it,

diverts citizens’ attention away from other problems that they rightly desire the government to fix: lack of decent paying jobs, housing, public transportation and health care. NCLB shifts the blame for increasing economic inequality away from the decisions made by corporations and politicians onto the education system...

NCLB, therefore, both directly and indirectly exacerbates racial, ethnic and economic inequality in society. (p. 306)

I was struck that the discourse that policy makers adopted and reiterated to me during interviews actually did just this--it blamed teachers (or students and their families) for the problems that urban schools faced. At the same time teachers and school-level administrators directly talked back to this teacher blaming discourse. It appeared evident throughout writing this dissertation that the schools which are not successful are those

that experience stark inequities associated with being geographically located in poor urban areas. Demographic differences do matter and standards-based reform threatens to further segregate poor, ELL, Black and Hispanic, and special education students. If policy focused on eliminating inequity and promoting de-segregation and inclusion, injustices faced by students would be mitigated. Under the current reform trajectory, such inequities will not only continue to exist, but likely will become worse.

Recommendations

After learning a great deal about how standards-based reform impacts special education at an urban elementary school that had been labeled “failing,” I offer a series of recommendations dedicated to teachers, administrators, and policy makers. Many of these recommendations are based on the fact that this study adopts a disability studies framework, as purported in my literature review. There I described the advantages of researching special education through a disability studies perspective, where an ultimate goal is the mitigation of segregating and oppressive structures (Bejoian & Reid, 2005).

Recommendations for teachers.

1. Teachers should learn from the perspectives of students, families, and community members. On occasion, educators I talked with laid the blame for failing to make progress on high stakes tests on the students and their families. Although the context of standards-based reforms may have contributed to such thinking, it only exacerbated the problems of school failure. If teachers can work to understand the perspectives of their students and parents, they are more likely to understand the best interests of those students. Visiting student’s

homes, attending community events, or even talking with students are all ways that teachers can accomplish this objective.

2. Teachers should have access to pre-service education and in-service professional development that uses a disability studies framework and teaches about the benefits of inclusive education. For true change to occur in schools, it is necessary that teachers not only buy into socially just inclusive models of instruction and service delivery, but they need to be leaders of such movements. In this regard, institutions of higher education can embed such teaching into courses and promote the benefits of inclusion in post-secondary educational institutions.
3. Teachers should resist relying on ineffective teaching practices, such as teaching to the test, using “drill and kill” methods, and narrowing the curriculum. Using evidence-based and effective teaching methods, such as universally designed instruction, differentiated instruction, and culturally relevant teaching will improve the learning of all students in classrooms. Standards-based reform and inclusive teaching practices should not be seen as in opposition to one another.
4. Teachers should continue and/or begin to practice resistance to policies and practices that they feel are harmful to their students. Acting as an advocate for both students and families, being educated about and speaking out about policies, and engaging in the political system can mitigate the negative ramifications of reform.

Recommendations for administrators.

1. Administrators have a great deal of influence over the service delivery choices that are made in schools and this study confirms this. In all cases, policy in New York State is silent in regard to where services must be delivered. Leaders committed to inclusion can and should implement school-wide inclusion. Administrators must learn that even if the logic of standards-based reform may make segregation appear attractive, these choices are often harmful to students and will not necessarily improve the achievement of students.
2. Administrators should receive more training and professional development about the benefits of inclusive practices. Districts should hire consultants to speak with teachers and administrators that are knowledgeable about and committed to the principles of inclusion. Part of this training should discuss how to either work around or use standards-based reform policies to promote inclusion as described by Hehir and Katzman (2012).
3. Administrators should receive training in administrative preparation programs that speak to the needs of special education students. Such training should adopt an inclusive and disability studies perspective. This will increase the likelihood that decisions about students with disabilities will be considered at the same time district-wide and school-wide policy decisions are being made that relate to standards-based reform. It would also increase the likelihood that districts and schools would support inclusive practices.
4. Administrators should ensure that teachers are using teaching practices, which are effective for students with disabilities including universally designed

instruction, differentiation, and culturally relevant instruction. Administrators must be aware of the research that indicates that there are a variety of “unintended consequences” that result from standards-based reform. They must lead the way on keeping teachers from falling into patterns that rely on using “drill and kill” teaching methods, teaching to the test, and narrowing the curriculum.

5. Administrators should continue to/ and or begin to partake in active resistance against policies that they believe are harmful to students in their schools. Often administrators act as spokespersons for their schools or districts. Thus, when communicating with media it is important to represent the students, families, and communities in a positive light, and to speak out against reforms that are harming students.

Recommendations for policy-makers.

1. Policy-makers should spend a great deal of time learning about the implications of policy on diverse groups of students. In particular, they must understand that standards-based reform policies actually exacerbate the very problems they are supposedly intended to fix. In particular, the labeling and subsequent sanctioning of “failing” schools exacerbate inequality.
2. Policy makers should learn more about the needs of students with disabilities from person-first and disability studies perspectives. This will help policy makers think about the needs of these students before making policy as opposed to waiting until after to consider their needs.

3. Policy-makers should read academic research about best practices for schools. It is recommended that policy-makers read research that encompasses a social justice and/or disability studies framework. Many decisions that are currently being made regarding standards-based reform have no research basis and, furthermore, adopt practices that research has shown to be harmful to students.
4. Policy-makers should not base policies on the interest of the free market and capitalism. When this occurs, inequities are only exacerbated. Instead, policies should be based on leveling the playing field and increasing opportunities for students who are disadvantaged or disabled.
5. Policy-makers should consider what policies become prioritized when intense sanction systems are put into place. It should be concerning to policy makers that the implementation of standards-based reform policy is weakening other policies, such as the IDEIA.
6. Policy-makers should investigate reform efforts that have been effective and which operate largely outside of the standards-based reform movement. For instance there are 28 public schools in New York State that are largely exempt from the standards-based reform movement and, instead, rely on the use of portfolio assessments. The successes of these schools should be noted by policy makers and potentially replicated.
7. Policy makers should also continue to and or begin to partake in active resistance against policies that they believe are harmful to students. Because many policy makers have a high degree of influence, taking a stance against

these reforms could have large sway over the trajectory of the standards-based reform movement.

Limitations, Contributions, and Future Directions

There are limitations inherent in all research and, as such, it is important to document the limitations inherent in this study. One limitation of this research is that I investigated the processes of only one school. Because every school is unique, findings in this research are not necessarily generalizable beyond Westvale Elementary School and Springertown School District. I however feel that the choice I made to describe my findings within the wider policy and educational context makes this research more generalizable. I believe that because most of the choices that were made at Westvale were embedded in policy, it is likely that other schools that have similar characteristics to Westvale may similarly respond to the conditions that the policies created (Ball, 1997). Additional research, based in other high-needs schools would be useful in this regard.

Another limitation of this study is that I did not have an extremely large number of interview participants. I chose not to recruit more participants because of limited time and resources. Originally I had hoped to include more federal level policy makers into this study. However, because I felt the scope of the project was getting very large, I decided to focus on recruiting participants from New York State. I also would have liked to include more special education teachers. Unfortunately, I had a relatively low response rate from teachers. Furthermore, it would have been helpful to interview a more demographically diverse group of teachers, as the perspectives may have been different.

It may be that my own positionality as a white woman influenced the willingness of a more racially diverse pool of teachers and administrators to participate. Lastly, including parents and students as interview participants would have been helpful to view the policies even more complexly. Too often the voices of parents and students themselves are the most marginalized in policy discussion.

Regardless of the limitations of this work, I feel that this study makes an important contribution to the body of research that has investigated the impact of standards based reform on special education. This study, unlike others, looked in depth at how one school reacted to becoming labeled as failing and looked specifically at how special education was impacted. I uniquely applied a disability studies perspective to this research, which little available research has done. Finally, few studies as of yet have investigated the impact of teacher and leader evaluations on special education, as they are a relatively new initiative.

After completing this research, I believe that there are many future directions to take this work. If the last fifty years teaches us any lessons, it is that standards-based reform will exist in some form, regardless of which political party resides in the executive office. I therefore believe that constant and vigilant analysis of how students with disabilities fit into these reforms and fare as a result of these reforms will continue to be a necessity.

One way I would like to extend this research is to combine interview data with participant observation research at another school that has been labeled “failing.” It would be beneficial for me to understand how these processes play out at more than one urban elementary school to delineate whether my findings in this dissertation are in fact

generalizable. Collecting observation data would allow me to garner an in-depth perspective about the daily processes that affect schools. This would help me triangulate the perspectives of interview participants. I truly believe that this dissertation has brought me into a field of research that will continue to be fruitful for years to come.

Concluding Remarks

This dissertation uncovers how special education is impacted by the complex processes of standards-based reform. The reforms themselves are a part of a neoliberal and biopolitical discursive framework. As described by Foucault (1972) there is no singular point of origin where complex systems such as standards-based reform begin. Thus, all participants who I interviewed and observed are a part of the discursive framework that standards-based reform has created. It is not the fault of any one person that these reforms exist. The state-level policy makers too, are part of this system of discourse. Indeed, we are all enmeshed in this discourse to varying degrees.

Even though everyone, in some way or another, relates to the system of discourse that standards-based reform creates, it is possible that new ways of thinking can nonetheless be introduced. Bakhtin (1998) explained that when individuals become associated with new genres, or new ways of thinking, alternative modes of liberation also become feasible. Teachers and administrators can partake in small micro-level acts of resistance on a daily basis, which can help mitigate the damaging effects of reform. This might include advocating for inclusion, maintaining high expectations, and presuming competence. Beyond just the need for micro-level actions of resistance, there is a need for macro-level resistance against the discursive regime that has become standards-based

reform. One promising example of such resistance is the teacher's union strike that is happening at the time I am writing this dissertation (see Omer, 2012), which in many ways is a fight against the enactment of elements of the standards-based reform movement, (particularly the implementation of a teacher and leader evaluation system). If communities of people who have similar commitments against the impact of the reforms on teachers, students, and communities come together, there is great potential to change the course of the standards-based reform movement.

Furthermore, if information (such as is documented in this dissertation) is disseminated and transmitted, it is possible that new understandings about standard-based reforms will emerge. As more and more students, parents, teachers, administrators, policy-makers, and elected officials speak out about the harm neoliberal policies such as standards based reform create, it is possible that new ways of thinking about policy can emerge.

References

- Abernathy, S.F. (2007). *No Child Left Behind and the public schools: Why NCLB will fail to close the achievement gap- and what we can do about it*. Ann Arbor, MI: The University of Michigan Press.
- Advocates for Children of New York (October, 2010). *More than a statistic: Faces of the local diploma. A call to create pathways to graduation for all students*. Retrieved from Advocates for Children of New York website:
http://www.advocatesforchildren.org/Faces%20of%20the%20Local%20Diploma_final.pdf?pt=1
- Agran, M., Alper, S., & Wehmeyer, M. (2002). Access to the general curriculum for students with significant disabilities: What it means to teachers. *Education and Training in Mental Retardation and Developmental Disabilities*, 37(2), 123-133.
- Allbritten, D., Mainzer R., & Ziegler, D. (2004). Will students with disabilities be scapegoats for school failures? *Educational Horizons*, 82, 153-160.
- Allen, B. (2005). Foucault's nominalism. In S. Tremain (Ed.), *Foucault and the government of disability* (pp. 93-107). Ann Arbor, MI: The University of Michigan Press.
- Allington, R. & Woodside-Jiron, H. (1999). The politics of literacy teaching: How "research" shaped educational policy. *Educational Researcher*, 28(8), 4-13.
- Almond, P.J., Lehr, C., Thurlow, M.L., & Quenemoen, R. (2002). Participation in large-scale state assessment and accountability systems. In T.M. Haladyna (Ed.), *Large-scale assessment programs for all students: Validity, technical adequacy, and implementation* (pp. 341-370). Mahwah, NJ: Lawrence Erlbaum.

- American Youth Policy Forum and Center on Education Policy (2002). *Twenty-five years of educating children with disabilities: The good news and the work ahead*. Washington, DC: Author.
- Amrein, A.L. & Berliner, D.C. (2002a). *An Analysis of Some Unintended and Negative Consequences of High Stakes Testing*. Tempe, AZ: Arizona State University Education Policy Research Unit. Retrieved from <http://nepc.colorado.edu/files/EPSSL-0211-125-EPRU.pdf>
- Amrein-Beardsley, A. (2009). The unintended, pernicious consequences of “staying the course” on the United States’ No Child Left Behind Policy. *International Journal of Education Policy & Leadership*, 6(4), 1-13.
- Amrein-Beardsley, A., Berliner, D.C. & Rideau, S. (2010). Cheating in the first, second, and third degree: Educator’s response to high-stakes testing. *Education Policy Analysis Archives*, 18(14).
- Apple, M.W. (2004). Creating difference: Neo-liberalism, Neo-conservatism and the politics of educational reform. *Educational Policy*, 18(1), 12-44.
- Artiles, A. (2011). Toward an interdisciplinary understanding of educational equity and difference: The case of the racialization of ability. *Educational Researcher*, 40(9), 431-445.
- Artiles, A., Rueda, R., Salazar, J.J. & Higareda, I. (2005). Within-group diversity in minority disproportionate representation: English language learners in urban school districts. *Council for Exceptional Children*, 71(3), 283-300.
- Auguste, B., Kihn, P., & Miller, M. (2010). *Closing the talent gap: Attracting and retaining top-third graduates to careers in teaching*. Retrieved from

- <http://www.compadre.org/Repository/document/ServeFile.cfm?ID=10526&DocID=2026>
- Baglieri, S., Valle, J., Connor, D. & Gallagher, D. (2010). Disability studies in education: The need for a plurality of perspectives on disability. *Remedial & Special Education, 32*(4), 267-278.
- Ball, S. J. (1993). What is policy? Texts, trajectories and toolboxes. In S.J. Ball (Ed.), *Sociology of Education* (pp. 1830-1841). New York, NY: Rutledge.
- Ball, S. J. (1997). Policy sociology and critical social research: A personal review of recent education policy and policy research. *British Educational Research Journal, 23*(3), 257-274.
- Bailey, P. (2011, March 23). School officials say poorer districts to hurt the most as Cuomo asks schools to do more with less. *WKTV News Channel 2*. Retrieved from <http://www.wktv.com/news/local/118536529.html>
- Baker, E.T., Wang, M., & Walberg, H. J. (1995). The effects of inclusion on learning. *Educational Leadership, 52*(4), 33-35.
- Bakhtin, M. (1981). The dialogic imagination (M. Holquist & C. Emerson, Trans.). In M. Holquist (Ed.), *The Bakhtin Reader*. Austin TX: University of Austin Press.
- Bakhtin, M. & Medvedev (1985). *The formal method in literary scholarship: A critical introduction to sociolinguistic poetics* (A.J. Wehrle, Trans.). Cambridge, MA: Harvard University Press.
- Bakhtin, M. (1986). The problem of Speech Genres. (V. McGee. Trans.). In E. Emerson & M. Holquist (Eds.), *Speech genres and other late essays* (pp. 60-102). Austin, TX: University of Texas Press.

- Bakhtin, M. (1998). Discourse in the novel. In J. Rivkin & M. Ryans (Eds.), *Literary theory: An anthology* (pp. 32- 44). Malden, NJ: Blackwell.
- Barrett, B.D. (2009). No child left behind and the assault on teachers professional practices and identities. *Teaching and Teacher Education*, 25(8), 1018-1025.
- Bejoian, L. & Reid, K. (2005). A disability studies perspective on the Bush education agenda: The No Child Left Behind Act of 2001. *Equity & Excellence in Education* , 38(3), 220-231.
- Biklen, D. (1985). *Achieving the complete school: Strategies for effective mainstreaming*. New York, NY: Teachers College Press.
- [Springertown] Board Minutes (2010, June). No link provided to protect anonymity.
- Bishop, J.H. (1998). The effect of curriculum-based external exit exam systems on student achievement. *Journal of Economic Education*, 29, 171-182.
- Bishop, J.H., Moriarty, J.Y., & Mane, F. (2000). Diplomas for learning, not seat time: the impacts of New York Regents examination. *Economics of Education Review*, 19, 333-349.
- Bogdan , R. C. & Biklen, S.K. (2003). *Qualitative research for education: An introduction to theories and methods*. (4th ed.). Boston, MA: Allyn & Bacon.
- Brady, R.C. (2003). *Can failing schools be fixed?* Washington D.C.: The Thomas B. Fordham Foundation. Retrieved from <http://www.edexcellence.net/publications/canfailingschools.html>
- Brantlinger, E. (2004). Confounding the needs and confronting the norms: An extension of Reid and Valle's essay. *Journal of Learning Disabilities*, 37(6), 490-499.

- Brantlinger, E. (2006a). Preface. In E. Brantlinger (Ed.), *Who Benefits from Special Education? Remediating (fixing) other people's children* (pp.vii-xii.). Mahwah, NJ: Lawrence Erlbaum Associates.
- Brantlinger, E. (2006b). Winners need losers: The basis for school competition and hierarchies. In E. Brantlinger (Ed.). *Who benefits from special education? Remediating [fixing] other people's children* (pp. 197-232). Mahwah, NJ: Lawrence Earlbaum Associates, Publishers.
- Broderick, A., Mehta-Parekh, H., & Reid, K. (2005). Differentiating instruction for disabled students in inclusive classrooms. *Theory into Practice*, 44 (3), 194-202.
- Buendia, E. (2010). Reconsidering the urban in urban education: Interdisciplinary conversations. *Urban Review*, 43 (1-21).
- Burris, C.C. & Welner, K.G. Closing the achievement gap by detracking. *Phi Delta Kappan*, 86(8), 594-598.
- Causton-Theoharis, J., Theoharis, G., Bull, T., Cosier, M. & Dempf-Aldrich, K. (2010). Schools of Promise: A School District—University Partnership Centered on Inclusive School Reform. *Remedial and Special Education*, 32(3), 192-205.
- Chiang, H. (2009). How accountability pressure on failing schools affects student achievement. *Journal of Public Economics*, 93(9-10), 1045-1057.
- Charlton, J.L. (2000). *Nothing about us without us: Disability oppression and empowerment*. Berkeley, CA: University of California Press.
- Christ, L. (2012, May 10). NY1 Exclusive: Memo shows company aware of state test errors. *NY1 News*. Retrieved from

- http://www.nyl.com/content/top_stories/160907/ny1-exclusive--memo-shows-company-aware-of-state-test-errors
- Christenson, S. Decker, D., Trizenber, H., Ysseldyke, J. & Reschley, A. (2007). Consequences of high-stakes assessment for students with and without disabilities. *Educational Policy*, 21, 662-690.
- Cochran-Smith, M. & Lytle, S. (2008). Troubling images of teaching in No Child Left Behind. *Harvard Educational Review*, 76(4), 668-697.
- Cole, C. (2006). Closing the achievement gap series, Part III: What is the impact of NCLB on the inclusion of students with disabilities? *Center for Evaluation and Education Policy Brief*, 4(11), 1–12.
- Cole, C., Waldron, N., Majd, M. (2004). Academic progress of students across inclusive and traditional settings. *Mental Retardation*, 42(2), 136-144.
- Corbin, J. & Strauss, A. (1990). Grounded theory research: Procedures, canons, and evaluative criteria. *Qualitative Sociology*, 19(6), 418-427.
- Council of Chief State School Officers and National Governors Association (2010, June 2). *New York State P-12 Common Core Learning Standards for English Language Arts & Literacy*. Retrieved from http://schools.nyc.gov/NR/rdonlyres/337BF93A-95FF-4A48-9434-CE9EA0B70E06/0/p12common_core_learning_standards_ela_final.pdf
- Cort, R. & Schwartz, I., (2011, July). *Alignment of New York State's Accountability Systems under the Individuals with Disabilities Education Act (IDEA) and the No Child Left Behind Act (NCLB)*. Albany, NY: New York State Department of

- Education. Retrieved from
<http://www.p12.nysed.gov/specialed/spp/aligningaccountability-july2011.htm>
- Crenshaw, K.W.(1993). Beyond racism and misogyny: Black feminism and 2 Live Crew. In M.J. Matsuda, Cr. Lawrence, R. Delgado, and K.W. Crenshaw (Eds.), *Words that wound: Critical race theory, assaultive speech and the First Amendment* (pp. 111-132). Boulder, CO: Westview Press.
- Crocco, M.S. & Costigan, A.T. (2007). The narrowing of curriculum and pedagogy in the age of accountability: Urban educators speak out. *Urban Education*, 42, 512-535.
- Cushing, L., Clark, N., Carter, E. & Kennedy, C. (2005) Access to the general education curriculum for students with significant cognitive disabilities. *Teaching Exceptional Children*, 38(2), 6-13.
- Danforth, S. & Gabel, S. (2006). Introduction. In S. Danforth & S. Gabel (Eds.), *Vital questions facing disability studies in education* (pp. 1-16). New York: Peter Lang.
- Darling-Hammond, L. (2007). Race, inequality and educational accountability: The irony of ‘No Child Left Behind’. *Race Ethnicity and Education*, 10(3), 245-260.
- Darling-Hammond, L. (2010). *The flat world and education: How America’s commitment to equity will determine our future*. New York: Teacher’s College Press.
- Davis, L. (2006). Constructing Normalcy: The Bell Curve, the Novel, and the Invention of the Disabled Body in the Nineteenth Century. In L. Davis (Ed.). *The Disability Studies Reader* (2nd ed.). (pp. 9-28). London: Rutledge.

- Dee, T. & Jacob, B. (2009). *The impact of No Child Left Behind on student achievement*. NBER Working Paper 15531. Cambridge, MA: National Bureau of Economic Research. Retrieved from <http://www.nber.org/papers/w15531>
- Defur, S. (2002). Education reform, high stakes assessment, and students with disabilities: One state's approach. *Remedial and Special Education*, 23, 203-211.
- Diamond, J.B. & Spillane, J.P. (2004). High-stakes accountability in urban elementary schools: Challenging or reproducing inequality? *Teachers College Record*, 106(6), 1145-1176.
- DiPaola, M. & Walther-Thomas, C. (2003). Principals and special education: The critical role of school leaders. (COPPSE Document No. IB-7). Gainesville, FL: University of Florida, Center on Personnel Studies in Special Education. Retrieved from <http://copsse.education.ufl.edu/docs/IB-7/1/IB-7.pdf>
- Dobbert, M.L. & Kurth-Schai, R. (1992). Systematic ethnography: Toward an evolutionary science of education and culture. In M.D. LeCompte, W.L. Millroy & J. Preissle (Eds.). *The handbook of qualitative research in education*. San Diego, CA: Academic Press, Inc.
- Donovan, S., & Cross, C. (2002). *Minority students in special and gifted education*. Washington, DC: National Academy Press.
- Downey, D.B., Hippel, P.T. & Hughest, M. (2008). Are "failing" schools really failing? Using seasonal comparison to evaluate school effectiveness. *Sociology of Education*, 81, 242-270.

- D'souza, (2012, May 22). With field test approaching, parents are reprising protests. *Gotham Schools*. Retrieved from <http://gothamschools.org/2012/05/22/with-field-tests-approaching-parents-are-reprising-protests/#more-83761>
- Dudley M., & Baker, D. (2012). The effects of market-based school reform on students with disabilities. *Disability Studies Quarterly*, 32(2). Retrieved from <http://dsq-sds.org/article/view/3187>
- Duncan, Arne. (2009, July 24). Education Reforms Moon Shot. *The Washington Post*. Retrieved from <http://www.ode.state.or.us/superintendent/yat/meetings/arne-duncan-announcing-the-guidelines.pdf>
- Dwyer, S. & Buckle, J. (2009). The space between: On being an insider-outsider in qualitative research. *International Journal of Qualitative Methods*, 8(1), 54-63.
- Eckes, S. & Swando, J. (2009). Special education subgroups under NCLB: Issues to consider. *Teachers College Record*, 111(11), 2479-2504.
- Education For All Handicapped Children Act (1975). PL 94-142.
- Erickson, A. Kleinhammer-Trammil, J., & Thurlow, M. (2007). An analysis of the relationship between high-school exit exams and diploma options and the impact on students with disabilities. *Journal of Disability Policy Studies*, 18(2), 117-128.
- Evans, W. & Bechtel, D. (1997). Extended school day/ year program. A research synthesis. *Lab for Student Success*. Philadelphia, PA.
- Expeditionary Learning (2012). Retrieved from: <http://elschools.org/>
- Fahri, P. (2012, April, May). Flunking the test. *American Journalism Review*. Retrieved from <http://www.ajr.org/Article.asp?id=5280>

- Ferri, B. (2011). Undermining inclusion? A critical reading of response to intervention (RTI). *International Journal of Inclusive Education*, (ifirst), 1-18. Doi: 10.1080/13603116.2010.538862
- Ferri, B. & Bacon, J. (2011). Beyond inclusion: Disability studies in early childhood teacher education. In B.S. Fennimore & A.L. Goodwin (Eds.), *Promoting social justice for young children* (pp.137-146). New York, NY: Springer.
- Ferri, B. & Connor, D. (2006). *Reading resistance: Discourses of exclusion in desegregation and inclusion debates*. New York, NY: Peter Lang.
- Fielding, N. (2002). Automating the ineffable: Qualitative software and the meaning of qualitative research. In T. May (Ed.), *Qualitative Research in Action* (pp. 179-196). Thousand Oaks, CA: SAGE.
- Fierros, E.G. & Conroy, J. (2002). Double jeopardy: An exploration of overrepresentation of minority children in special education. In Losen D.J. and Orfield, G. (Eds.), *Racial inequity in special education* (pp. 39-70). Cambridge, MA: Harvard Education Press.
- Figlio, D. & Getzler, L. (2002). *Accountability, ability and disability: Gaming the system*. Cambridge, MA: National Bureau of Economic Research.
- Fisher, D. & Frey, N. (2010). *Enhancing RTI: How to ensure success with effective classroom instruction & intervention*. Alexandria, VA: ACSD.
- Fisher, D., Frey, N., Thousand, J. (2003). What do special educators need to know and be prepared to do for inclusive schooling to work? *Teacher Education and Special Education*, 26(1), 42-50.
- Fisher, D., Roach, V., & Frey, N. (2002). Examining the general programmatic benefits

- of inclusive education. *International Journal of Inclusive Education*, 6(1), 63-78.
- Flowers, C., Ahlgrim-Delzell, L., Browder, D., & Spooner, F. (2005). Teachers' perceptions of alternate assessment. *Research and Practice for Persons with Severe Disabilities*, 30, 81-92.
- Foucault, M. (1972). *The archaeology of knowledge & discourse on language*. New York: Harper Torchbooks.
- Foucault, M. (1977) *Discipline and Punish: The Birth of the Prison*. New York: Vintage Books.
- Foucault, M. (1990). *The history of sexuality an introduction: Volume I*. New York: Vintage Books.
- Foucault, M. (1997). *Society must be defended: Lectures at the College de France, 1975-1976*. New York, NY: Picador.
- Foucault, M. (2010). *The birth of biopolitics: Lectures at the college de France 1978-1979*. New York, NY: Picador.
- Fuller, B., Wright, J., Gesicki, K., Kang, E. (2007). Gauging growth: How to judge NCLB? *Educational Researcher*, 36(5), 268-278.
- Gabel, S. (2009). Introduction: Disability studies in education. In S. Gabel. (Ed.), *Disability studies in education: Readings in theory and method* (pp. 1-20). New York: NY. Peter Lang.
- Gallagher, D. (2005). Searching for something outside of ourselves: The contradiction between technical rationality and the achievement of inclusive pedagogy. In S. Gabel (Ed.), *Disability studies in education: Readings in theory and method* (pp. 139-154). New York, NY: Peter Lang.

- Gallagher, D. (2006). The natural hierarchy undone: disability studies' contributions to contemporary debates in education. In S. D. Gabel (Ed.), *Vital questions facing disability studies in education* (pp. 63-76). New York: Peter Lang.
- Garland-Thomson, R. (2002). Integrating disability, transforming feminist theory. *NWSA Journal*, 14(3), 1-32.
- Gaumer-Erickson, A. S., Kleinhammer-Tramill, & Thurlow, M. L. (2007). An analysis of the relationship between high school exit exams and diploma options and the impact on students with disabilities. *Journal of Disability Policy Studies*, 18(2), 117-128.
- Gentry, M. (2006). No Child Left Behind: Neglecting excellence. *Roeper Review*, 29(1), 24-27.
- Gerschick, T. (2000). Toward a theory of disability and gender. *Signs*, 25(4), 1263-1268.
- Giangreco, M. (2000). Related services for students with low-incidence disabilities: Implications for speech-language pathologists in inclusive classrooms. *Language, Speech, and Hearing Services in Schools*, 31, 230-239.
- Giangreco, M., Cloninger, C., & Iverson, V. (1993). *Choosing options and accommodations for children (COACH): A guide to planning inclusive education*. Baltimore: Paul H. Brookes.
- Giangreco, M. & Taylor, S. (2003). "Scientifically based research" and qualitative inquiry. *Research and Practice for Persons with Severe Disabilities*, 28(3), 133-137.
- Giroux, H.A. (2005). The terror of Neoliberalism: Rethinking the significance of cultural politics. *College Literature*, 32(1), 1-19.

- Goals 2000: Educate America Act of 1994, Pub. L. No. 133-227, § 1-3, 108 Stat. 125 (1994).
- Gonzalez, S. (2012, May 16). Fla. students crash after state raises bar on tests. *National Public Radio*. Retrieved from <http://www.npr.org/2012/05/16/152852266/fla-students-crash-after-state-raises-bar-on-test?ft=1&f=1013>
- Gould, S.J. (1996). *The mismeasure of man: The definitive refutation to the argument of the bell curve*. New York: W.W. Norton & Company, Inc.
- Hall, S. (1997). The work of Representation. In S. Hall (Ed.), *Representation: Cultural representations and signifying practices* (pp. 13-74). Thousand Oaks, CA: SAGE publications.
- Haney, W. (2001). The myth of the Texas miracle in education. *Education Policy Analysis Archives*, 8(41).
- Hardman, M. L., & Dawson, S. (2008). The impact of federal public policy on curriculum for students with disabilities in the general classroom. *Preventing School Failure*, 52(2), 5-11.
- Harwell, M. & Labeau, L. (2010). Student eligibility for a free lunch as an SES measure in education research. *Educational Researcher*, 39(2), 120-131.
- Hauser, R., Frederick, C. & Andrew, M. (2007). *Grade retention in the age of standards-based reform*. Madison, WI: Center for Demography of Health and Aging, University of Wisconsin-Madison.
- Hehir, T. & Katzman, L. (2012). *Effective inclusive schools: Designing successful schoolwide programs*. San Francisco, CA: John Wiley & Sons, Inc.

- Heubert, J. & Hauser, R. (1999). *High Stakes: Testing for tracking, promotion, and graduation*. Washington DC: National Research Council.
- Howe, K. (1998). The interpretive turn and the new debate in education. *Educational Researcher*, 28(7), 13-21.
- Hunt, P., Farron-Davis, F., Beckstead, S., Curtis, D., & Goetz, L. (1994). Evaluating the effects of placement of students with severe disabilities in general education versus special classes. *Journal of the Association for Persons with Severe Handicaps*, 19, 200-214.
- Hursh, D. (2007a). Assessing No Child Left Behind and the rise of neoliberal education policies. *American Educational Research Journal*, 44(3), 493-518.
- Hursh, D. (2007b). Exacerbating inequality: The failed promise of the No Child Left Behind Act. *Race Ethnicity and Education* 10(3), 295-308.
- Hursh, D. & Martina, C. (2003). Neoliberalism and schooling in the U.S.: How state and federal education policies perpetuate inequality. *Journal of Critical Education Policy Studies*, 2(1).
- (IDEIA) Individuals with Disabilities Education Improvement Act. (2004). Public Law 108-446.
- Imazeki, J. & Reschovsky, A. (2004). Is No Child Left Behind an un (or under) funded federal mandate? Evidence from Texas. *National Tax Journal*, 57(3), 571-588.
- Jennings, J. (2006). *Ten big effects of the No Child Left Behind Act on public schools*. Washington, DC: Center on Education Policy.

- Jimerson, S.R., Pletcher, S.M., Graydon, K., Schnurr, B.L. Nickerson, A.B. & Kundert, D.K. (2006). Beyond grade retention and social promotion: Promoting the social and academic competence of students. *Psychology in the Schools*, 43(1), 85-97.
- Johnson, D. R., & Thurlow, M. L. (2003). *A national study on graduation requirements and diploma options for youth with disabilities* (Technical Report 36). Minneapolis, MN: University of Minnesota, National Center on Educational Outcomes. Retrieved from <http://education.umn.edu/NCEO/OnlinePubs/Technical36.htm>
- Johnson, D. R., Thurlow, M., Cosio, A., & Bremer, C. D. (2005, February). *Diploma options for students with disabilities*. (NCSET Information Brief Vol. 4 No. 1). Minneapolis: University of Minnesota, National Center on Secondary Education and Transition.
- Johnson, D.R., Thurlow, M., Cosio, A., & Bremer, C.D. (2005). *High school graduation requirements and students with disabilities*. Minneapolis, MN: National Center on Secondary Education and Transition. Retrieved from <http://www.ncset.org/publications/viewdesc.asp?id>
- Jones, M.G., Jones, B.D. & Hargrove, T.Y. (2003). *The unintended consequences of high-stakes testing*. Lanham, MD: Rowman & Littlefield Publishers, Inc.
- Katsiyannis, A. Yell, Y. & Bradley, R. (2001). Reflections on the 25th anniversary of the Individuals with Disabilities Education Act. *Remedial and Special Education*, 22(6), 324-334.

- Kellaghan, T., Madaus, G.F., & Raczek, A. (1996). *The use of external examinations to improve student motivation*. Washington, DC: American Educational Research Association.
- Kennedy, C., Shikla, S. & Fyrxell, D. (1997). Comparing the effects of educational placement on the social relationships of intermediate school students with severe disabilities. *Exceptional Children*, 64(1).
- Kintz, Michael (2011). Ability Grouping and How It Is Affecting American Classrooms, *ESSAI*, 9(20).
- Kliwer, C. & Biklen, D. (2001). "School's not really a place for reading": A research synthesis of the literate lives of students with severe disabilities. *JASH*, 26(1), 1-12.
- Kohn, A. (1999). *The schools our children deserve: Moving Beyond traditional classrooms and "tougher standards."* Boston: Houghton Mifflin Company.
- Kohn, A. (2000). *The case against standardized testing: Raising the scores, ruining the schools*. Portsmouth, NH: Heinemann.
- Kohn, A. (2004). NCLB and the effort to privatize education. In D. Meier & G. Woods. (Eds.), *Many children left behind: How the No Child Behind Act is damaging our children and our school* (pp. 79-100). Boston, MA: Beacon Press.
- Kreitzer, A. E., Madaus, G. F., & Haney, W. (1989). Competency testing and dropouts. In L. Weis, E. Farrar, & H. G. Petrie (Eds.), *Dropouts from school: Issues, dilemmas, and solutions* (pp.129-152). Albany, NY: State University of New York Press.

- Kumashiro, K. (2012). *Bad teacher! How blaming teachers distorts the bigger picture*. New York: Teachers College Press.
- Lawrence-Brown, D. (2004). Differentiated instruction: Inclusive strategies for standards-based learning that benefit the whole class. *American Secondary Education*, 23(3) 34-62.
- Lazarus, S.S., Thompson, S.J., & Thurlow, M.L. (2006). *How students access accommodations in assessment and instruction: Results of a survey of special education teachers. EPRRI Issue Brief Seven*. College Park, MD: Educational Policy Reform Research Institute.
- Legislative Research Commission (2010). Assistance to low-achieving schools and districts: Strengths, limitations, and continuing challenges. Research Report No. 378. Retrieved from <http://www.lrc.ky.gov/lrcpubs/RR378.pdf>
- Local Education Authority (2010). *[Springertown School District] Implementation Plan for the Transformation Model at [Westvale] Elementary School*. No link included as to protect district and school anonymity.
- Lee, J. (2006). *Tracking achievement gaps and assessing the impact of NCLB on the gaps: An in-depth look into national and state reading and math outcome trends*. Cambridge, MA: The Civil Rights Project at Harvard University.
- Lillard, D.R. & DeCicca, P.P. (2001). Higher standards, more dropouts? Evidence within and across time. *Economics of Education Review*, 20, 459-473.
- Lipman, P. (2000). Bush's education plan, globalization, and the politics of race. *Cultural Logic*, 4(1).

- Lloyd, C. (2000). Excellence for all children- false promises! The failure of current policy for inclusive education and implications for schooling in the 21st century. *International Journal of Inclusive Education*, 4(2), 133-151.
- Marcou-O'Malley. (2011). Back to inequality: How students in poor school districts are paying for inequality. *Public Policy and Education Fund of New York*. Retrieved from <http://www.ageny.org/ny/wp-content/uploads/2011/11/Back-to-Inequality-November-15-Final.pdf>
- Marshall, C. & Rossman, G.B. (1999) *Designing qualitative research*: 3rd edition. Thousand Oaks, CA: SAGE.time. *Economics of Education Review*, 20, 459-473.
- Mathis, W. & Welner, K. (2010). Introduction: Assessing the research base for a blueprint for reform. In W. Mathis & K. Welner. (Eds.). *The Obama education blueprint: Researchers examine the evidence* (pp.1-8). Charlotte, NC: Information Age Publishing, Inc.
- Maybin, J. (2001). Language, struggle and voice: the Bakhtin/ Volosinov writings. In M. Wetherall, S. Taylor & S. Yates (Eds.), *Discourse theory and practice: A reader* (pp. 64-71). Los Angeles, CA: SAGE.
- McGlaughlin, M., Micheli, M. & Hoffman, A. (2009). Standards, assessments and accountability for students with disabilities: An evolving meaning of a “free and appropriate public education.” In M. R. Wolff (Ed.), *NCLB at the crossroads: Reexamining the federal effort to close the achievement gap* (pp. 106-133). New York, NY: Teachers College Press.

- McMillan, J.H. & Schumacher, S. (2001). *Research in education: A conceptual introduction*. New York, NY: Longman.
- Menken, K. (2006). Teaching to the test: How No Child Left Behind impacts language policy, curriculum and instruction for English language learners. *Bilingual Research Journal*, 30(2), 521-546.
- Mezzacappa, D. (2012, April 25). Philadelphia public schools reorganizing, closing 64 schools as district braces for dissolution. *The Huffington Post*. Retrieved from http://www.huffingtonpost.com/2012/04/25/philadelphia-public-school_n_1453835.html
- Mills v. Board of Education, DC. 348 F.Supp. 866 (D. DC 1972).
- National Commission on Excellence in Education. (1983) *A nation at risk: The imperative for educational reform*. Washington, DC: Government Printing Office.
- National Education Association (1997). *Status of the American public school teacher, 1995-96*. Washington, DC: Author.
- Natriello, G. & Pallas, A. (1999) The development and impact of high stakes testing. In G. Orfield & M.L. Kornhaber (Eds.), *Raising standards or raising barriers? Inequity and high-stakes testing in public education* (pp. 19-38). New York, NY: Century Foundation Press.
- Nelson, J. R. (2002). *Closing or widening the gap of inequality: The intended and unintended consequences of Minnesota's Basic Standards Tests for Students with Disabilities*. Unpublished doctoral dissertation, University

of Minnesota, Minneapolis.

New York State Board of Regents (June, 2011). *Education department releases high school graduation rates; overall rates improve slightly, but are still too low for our students to be competitive*. Retrieved from <http://www.oms.nysed.gov/press/GraduationRates2012OverallImproveSlightlyButStillTooLow.html>

New York State Education Department (2006). *Test access and accommodations for students with disabilities: Policy and tools guide to decision-making and implementation*. Retrieved from <http://www.p12.nysed.gov/specialed/publications/policy/testaccess/policyguide.htm>

New York State Education Department (2010a). *Attachment C: Questions and Answers*. Retrieved from http://www.oms.nysed.gov/press/attachc_jan2010.html

New York State Education Department (2010b). *Special Education: Guide to quality Individualized Education Program development and implementation*. Retrieved from <http://www.p12.nysed.gov/specialed/publications/iepguidance.htm>

New York State Education Department (2010c). *Special Education: Individualized Education Program (IEP) Diploma*. Retrieved from <http://www.p12.nysed.gov/specialed/publications/iepdiploma.htm>

New York State Education Department (2010d). *New York wins nearly \$700 million in Race to the Top competition*. Retrieved from

- <http://www.oms.nysed.gov/press/NewYorkWinsNearly700MinRacetotheTopCompetition.html>
- New York State Education Department (2012). *New York State Report Cards*.
<https://reportcards.nysed.gov>.
- New York State Department of Education. (2011a). *Questions and answers about schools identified as Persistently Lowest-Achieving and concurrently as Schools Under Registration Review*. Retrieved from <http://www.p12.nysed.gov/pla/FAQ.html>
- New York State Education Department (2011b). *Curriculum & Instruction: Summary of diploma requirements for students who first enter grade nine in 2011*. Retrieved from <http://www.p12.nysed.gov/ciai/gradreq/2011gradreqdetails.html>
- New York State Education Department. (2012a). *Bilingual Education and Foreign Language Studies: Frequently Asked Questions*. Retrieved from <http://www.p12.nysed.gov/biling/bilinged/faq.html>
- New York State Education Department (2012b). *New York State Report Cards*. Retrieved from <https://reportcards.nysed.gov>.
- No Child Left Behind Act of 2001, U.S.C. 20 § 6301. Et seq. (2002).
- Oakes, J. (1990). *Multiplying inequalities: The effects of race, social class, and tracking on opportunities to learn mathematics and science*. Santa Monica, CA: Rand Corp.
- Obama, B. (2011, January, 25). *Transcript: Obama's state of the union address*. National Public Radio. Retrieved from <http://www.npr.org/2011/01/26/133224933/transcript-obamas-state-of-union-address>

- Office of the State Comptroller. (2012). *Local Government and School Accountability*. Retrieved from <http://www.osc.state.ny.us/localgov/realprop/index.htm>
- Office of Civil Rights. (2012). *Civil Rights Data Collection for 2009-2010 school year*. Retrieved from <http://www2.ed.gov/about/offices/list/ocr/data.html>
- Office of Special Education and Rehabilitative Services (2003). *25th annual report to Congress on the implementation of the Individuals with Disabilities Education Act*. Washington, DC: Author.
- Oldman, D. (1994). Adult-child relations as class relations. In J. Gvortrup, M. (Ed.), *Theory, Practice and Politics* (pp. 43-58). Aldershot, Great Britain: Avebury Ashgate.
- Oliver, M. (1990). *The Politics of Disablement*. London: Macmillan.
- Omer, S. (2012, September). Question at the heart of Chicago strike: How do you measure teacher performance? *NBC News*. Retrieved from <http://usnews.nbcnews.com/news/2012/09/11/13808109-question-at-heart-ofchicago-strike-how-do-you-measure-teacher-performance?lite>
- PARC v. Commonwealth of Pennsylvania, 343 Fed. Supp. 279, (1972)
- Pecheone, R. L. & Wei, R. C. (2009). *Review of The Widget Effect: Our National Failure to Acknowledge and Act on Teacher Differences*. Boulder ,CO: Education and the Public Interest Center & Education Policy Research Unit. Retrieved from <http://epicpolicy.org/thinktank/review-Widget-Effect>
- Panecsek, L. & Dunlap, G. (2003). The social lives of children with emotional and behavioral disorders in self-contained classrooms: A descriptive analysis. *Council for Exceptional Children*, 69(3), 333-348.

- Peters, S. & Oliver, L. (2009). Achieving quality and equity through inclusive education in an era of high-stakes testing. *Prospects*, 39, 265-279.
- Phillips, A. (2012a). State to propose new graduation requirements for students with disabilities. *The New York Times*. Retrieved from <http://www.nytimes.com/schoolbook/2012/04/20/state-to-propose-new-graduation-requirements-for-students-with-disabilities/#respond>
- Phillips, A. (2012b). Legislators agree to turn teacher evaluation system into law. *The New York Times*. Retrieved from <http://www.nytimes.com/schoolbook/2012/03/15/legislators-agree-to-turn-teacher-evaluation-system-into-law/>
- Phillips, L. & Jorgenson, M.W. (2002). *Discourse analysis as theory and method*. Thousand Oaks, CA: SAGE Publications.
- Piaget, J. (1952). *The origins of intelligence in children*. New York: International University Press.
- Popham, J.W. (2005). *America's "failing" schools: How parents and teachers can cope with No Child Left Behind*. New York, NY: Routledge.
- Quenemoen, R. F., Lehr, C. A., Thurlow, M. L., & Massanari, C. B. (2001). *Students with disabilities in standards-based assessment and accountability systems: Emerging issues strategies, and recommendations* (Synthesis Report 37). Minneapolis, MN: University of Minnesota, National Center on Educational Outcomes. Retrieved from <http://education.umn.edu/NCEO/OnlinePubs/Synthesis37.html>

- Ravitch, D. (2010). *The death and life of the great American school system: How testing and choice are undermining education*. New York: Basic Books.
- Ravitch, D. (2012, February 21). *No student left untested*. New York Review of Books.
Retrieved from http://www.nybooks.com/blogs/nyrblog/2012/feb/21/no-student-leftuntested/?utm_medium=email&utm_campaign=February+21+2012&utm_content=February+21+2012+CID_de2e64c7a06e3bf166b06f89f274b365&utm_source=Email+marketing+software&utm_term=No+Student+Left+Untested
- Rebell, M. & Wolff, J. (2008) *Moving every child ahead: From NCLB hype to meaningful educational opportunity*. New York, NY: Teachers College Press.
- Reid, K. & Knight, M.G. (2006). Disability justifies exclusion of minority students: a critical history grounded in disability studies. *Educational Researcher*, 35(6), 18-23.
- Reissman, C.K. (2008). *Narrative methods for the human sciences*. Thousand Oaks, CA: SAGE.
- Rothstein, R. Jacobsen, R. & Wilder, T. (2009). "Proficiency for all": An oxymoron. In M.A. Rebell & J.R. Wolff (Eds.), *NCLB at the crossroads: Reexamining the federal effort to close the achievement gap* (pp. 134-162). New York, NY: Teachers College Press.
- Sandholtz, J.H. Ogawa, R.T., & Scribner, S.P. (2004). Standards gaps: Unintended consequences of local standards-based reform. *Teachers College Record*, 106 (6), 1177-1202.

- Shindel, C. (2004). One standard fits all? Defining achievement standards for students with cognitive disabilities within the No Child Left Behind Act's standardized framework. *Journal of Law & Policy*, 1025-1088.
- Skrtic, T. M. (2003). An organizational analysis of poor and minority students in special education. *Multiple Voices for Ethnically Diverse Exceptional Learners*, 6(1), 41-57.
- Skrtic, T.M. (2005). A political economy of learning disabilities. *Learning Disability Quarterly*, 28(2), 149-155.
- Slavin, R. & Broddock II, J. (1993). Ability grouping: On the wrong track. *College Board Review*, 11-17.
- Slentz, K. (June, 2012). *Proposed amendment to section 100.5 of the regulations of the commissioner of education relating to the safety net for students with disabilities to graduate with a local high school diploma*. Retrieved from <http://www.regents.nysed.gov/meetings/2012Meetings/June2012/612p12d4.pdf>
- Smith, E. (2005). Raising standards in American schools: The case of the No Child Left Behind. *The Journal of Education Policy*, 20(4), 507-524.
- Smith, P. (2010a). Barriers to inclusion: Does special education work? In P. Smith (Ed.), *Whatever happened to Inclusion? The place of students with intellectual disabilities in education* (pp. 61-85). New York, NY: Peter Lang.
- Smith, P. (2010b). Whatever happened to Inclusion? The place of students with intellectual disabilities in education. In P. Smith (Ed.), *Whatever happened to Inclusion? The place of students with intellectual disabilities in education* (pp. 1-20). New York, NY: Peter Lang.

- Smyth, T.S. (2008). Who is No Child Left Behind leaving behind? *The Clearinghouse: A Journal of Educational Strategies, Issues and Ideas*, 81(3), 133-137.
- Spillane, J. (1999). State and local government relations in the era of standards-based reform: Standards, state policy instruments, and local instructional policy making. *Educational Policy*, 13(4), 546-572.
- [Springertown] News Paper (2012). No link provided to preserve anonymity.
- [Springertown] School District (2010). *Special Education News*, 2 (2), 1-7. No link provide to preserve anonymity.
- Steiner, D., King, J., Cort, R. & Delorenzo, J. (2011, February). IDEA part B performance plan (SPP) for 2005-2012. *New York State Education Department*. Retrieved from <http://www.p12.nysed.gov/specialed/spp/2011/final211.htm>
- Stevens, J.C. (2009). Annual Measurable Achievement Objectives (AMAOs) for Limited English Proficient Students/ English Language Learners (LEP/ELLs). *New York State Education Department*. Retrieved from <http://www.p12.nysed.gov/biling/bilinged/documents/AMAOLetterfor2009.pdf>
- Stullich, S., Eisner, E., McCrary, J. & and Roney, C. (2006). *National Assessment of Title I Interim Report to Congress: Volume I: Implementation of Title I*. Washington, DC: U.S. Department of Education, Institute of Education Sciences.
- Sunderman, G.L. (2006). *The unraveling of No Child Left Behind: How negotiated changes transform the law*. Cambridge, MA: The Civil Rights Project Harvard University.
- Tamboukou, M. (1999). Spacing herself: Women in education. *Gender and Education*, 11(2), 125-139.

- Tamboukou, M. (2008). A Foucauldian approach to narratives. In M. Andrews, C. Squire & M. Tamboukou (Eds.), *Doing narrative research* (pp. 102-120). Los Angeles, CA: SAGE.
- Taylor, S. (2006). Before it had a name: Exploring the historical roots of disability studies in education. In S. Danforth & S. Gabel (Eds.), *Vital questions facing disability studies in education* (pp. xiii-xxiii). New York, NY: Peter Lang.
- Theoharis, G. (2010). Disrupting injustice: Principals narrate the strategies they use to improve their schools and advance social justice. *Teachers College Record*, 112(1), 331-373.
- Thompson, S., & Thurlow, M. L. (2001). *2001 state special education outcomes: A report on state activities at the beginning of a new decade*. Minneapolis, MN: University of Minnesota, National Center on Educational Outcomes. Retrieved from <http://education.umn.edu/NCEO/OnlinePubs/onlinedefault.html>
- Thompson, S. & Thurlow, M. (2003). *2003 State special education outcomes: Marching forward*. Minneapolis, MN: University of Minnesota, National Center on Educational Outcomes.
- Thurlow, M. (2004). Biting the Bullet: Including special-needs students in accountability systems. In S. Furlman & R. Elmore (Eds.), *Redesigning Accountability systems for education* (pp. 115-140). New York, NY: Teachers College Press.
- Thurlow, M.L., Sincliar, M.F, & Johnson, D.R. (2002). Students with disabilities who drop out of school— implications for policy and practice. Issue Brief. *Examining Current Challenges in Secondary Education and Transition*, 1(2).

- Thurlow, M.L., Ysseldyke, J.E., & Silverstein, B. (1995). *Testing accommodations for students with disabilities: A review of the literature* (Synthesis Report 4). Minneapolis, MN: University of Minnesota, National Center on Educational Outcomes.
- Tomlison, S. (1997). Sociological perspectives on failing schools. *International Studies in Sociology of Education*, 7(1), 81-98.
- Trujillo, T. (2012). The paradoxical logic of school turnarounds: A catch-22. *Teachers College Record*. Retrieved from <http://www.tcrecord.org/Content.asp?ContentID=16797>
- U.S. Department of Education (2009, November). *Race to the top program: Executive Summary*. Washington DC: Author. Retrieved from: <http://www2.ed.gov/programs/racetothetop/executive-summary.pdf>.
- U.S. Department of Education (2009, July 24). President Obama, U.S. Secretary of Education Duncan Announce National Competition to Advance School Reform. Retrieved from www2.ed.gov/pressreleases/2009/07/07242009.html
- U.S. Department of Education, Office of Planning, Evaluation and Policy Development. (2010, March). *A Blueprint for Reform: The Reauthorization of the Elementary and Secondary Education Act*. Washington, DC: Author. Retrieved from www2.ed.gov/policy/elsec/leg/blueprint/.
- U.S. Department of Education. (2012, July 16). *Obama administration approves two more states for NCLB flexibility--More than half of the country now approved for waivers, more to follow*. Retrieved from <http://www.ed.gov/news/press->

- releases/obama-administration-approves-two-more-states-nclb-flexibility-more-half-country
- Van Ausdale, D. & Faegin, J. (2001). *The first R: How children learn race and racism*. Lanham, MD: Rowman & Littlefield Publishers.
- Wagner, M. M., & Blackorby, J. (1996). Transition from high school to work or college: How special education students fare. *Special Education for Students with Disabilities*, 6, 103-120.
- Wakeman, S.Y., Browder, D.M., Meier, I., & McColl, A. (2007). The implications of No Child Left Behind for students with developmental disabilities. *Developmental Disabilities Research Reviews*, 13(2), 143-150.
- Watt M.G. (2005). *Standards-based reforms in the United States of America: An overview*. ERIC Document Reproduction Service No. ED490562. Washington, DC: ERIC.
- Weber, M.C., Mawdsley, R. & Redfield, S. (2004) *Special education law: Cases and Materials*. Newark, NJ: Lexis Nexis.
- Weisburg, D., Sexton, S., Mulhern, J. & Keeling, D. (2009). *The widget effect: Our national failure to acknowledge and act on differences in teacher effectiveness*. New York, NY: The New Teacher Project. Retrieved from <http://widgeteffect.org/downloads/TheWidgetEffect.pdf>
- Wengraf, T. (2001). *Qualitative research interviewing: Biographic narrative and semi-structured interviews*. Thousand Oaks, CA: SAGE.

- Wigdor, A. & Garner, W. (1982). *Ability testing: Uses, consequences, and controversies*. Washington, DC: National Academy Press.
- Wiley, E.W., Mathis, W.J., & Garcia D.R. (2005). *The impact of the Adequate Yearly Progress requirement of the federal "No Child Left Behind" act on schools in the great lakes region*. East Lansing, MI: Great Lakes Center for Education Research & Practice.
- Williams, E., M. Leachman, & Johnson, N. (2011). *State Budget Cuts in the New Fiscal Year Are Unnecessarily Harmful*. Washington, DC: Center on Budget and Policy Priorities.
- Wood, G. (2004). A view from the field: NCLB's effects on classrooms and schools. In D. Meier & G. Wood (Eds.). *Many children left behind: How the no child left behind act is damaging our children and our schools*. Boston, MA: Beacon Press.
- Wormeli, R. (2006). *Fair isn't always equal: Assessing and grading in the differentiated classroom*. Portland, ME: Stenhouse Publishers.
- Wright, P. & Wright, P. (2005). *IDEIA 2004: Discrepancy, response to intervention and learning disabilities*. Retrieved from www.wrightslaw.com
- Yell, M. L., Katsiyannis, A., & Shiner, J. G. (2006). The No Child Left Behind Act, adequate yearly progress, and students with disabilities. *Teaching Exceptional Children*, 38(4), 32-39.
- Ysselydyke, J., Nelson, J., Chirstenson, S., Johnson, D., Dennison, A., Trizenberg, H., Sharpe, M. & Howes, M. (2004). What we know and need to know about the consequences of high-stakes testing for students with disabilities. *Exceptional Children*, 71(1), 75-95.

- Zhang, D., Katsiyanis, A., & Kortering, L.J. (2007). Performance on exit exams by students with disabilities. *Career Development for Exceptional Individuals*, 30(1), 48-57.
- Zucker, S. (2004). *Using augmented norm-referenced assessments for NCLB compliance*. San Antonio, TX: Pearson Education, Inc.

Appendix A

Semi-structured interview guide: teachers and local school personnel.

1. Can you give me basic background information about yourself; what is your job, how long have you been working in this school, and how long have you been working in the field of education in general?
2. What major changes have you seen since the implementation of NCLB in this school or in other schools you have worked in?
3. What changes have you seen since you began teaching, why do you think these changes have occurred?
4. How do you feel students with disabilities have been affected by these changes, and can you share any examples?
 - a. Tell me about the impact on students with disabilities because of state testing requirements?
 - b. How about because of increased content standards?
 - c. How do you feel teacher and leader evaluation systems will impact students?
5. In your school, how has the situation of being under review impacted both the teachers and special education/ regular education students?
 - a. What specific pressures have you faced about needing to enhance performance, and how do you feel the efforts have impacted students with disabilities?
6. How does your school go about putting changes and reforms into place, what drives the reforms and informs the decisions that are made about how to put them into place?
7. How accurately do you feel movies (aka waiting for superman), and other media outlets (the news, etc.) reflect what is happening in schools right now? What is missing in these accounts, from your point of view?
8. How accurately do you feel politicians understand and react to what is happening in schools? What is missing in these accounts, from your point of view?

9. Are there any specific documents, curricula, books, pieces of research or policy, that have been useful or influential to your understanding of reform efforts? From where, and how have you learned the most about the reforms?
10. What specific changes would you like to see, to improve the situation for students with disabilities, or other students who have diverse learning needs?
11. Can you think of any positive impact that testing and reforms have had on students with disabilities or students in general education?

Semi-Structured interview guide: Administrators, state and federal policy makers

1. How would you describe what your overall job is, and how long have you been doing this particular job? What other jobs in the field of education did you have prior to this position?
2. What changes have you witnessed in the field of education since you have been involved, and what have been major reasons why you think these changes have occurred?
3. What role do you have in your position to shape some of the changes that have been made, in what ways do you have control over creating or shaping standards based reform efforts, and in what ways is your role to help implement the reforms?
4. How do you see the policies and reform efforts effecting students with disabilities? Do you have any particular examples?
 - a. How do testing practices affect students with disabilities?
 - b. How do you think movement to charter schools effects students with disabilities?
 - c. How do you think “highly qualified” teacher requirements effect the changes?
5. When discussing standards based reforms with others, how do students with disabilities come into play in regards to decision making?
6. How do you feel the processes are for making decisions, and how much influence does media political ambitions, university research, or other entities have on how policies get shaped?

7. Are there any specific documents, curricula, books, pieces of research or policy, that are useful or influential to your understanding of reform efforts? How have you learned the most about the reforms?
8. What specific policies or practices do you see as the most important, for giving students with disabilities or students with other higher needs, the best education possible?
9. Can you think of any positive impact that testing and reforms have had on students with disabilities or students in general education?

Appendix B

Special Education and Standards Based Reform: An Analysis of Discourse

My name is Jessica Bacon, and I am a doctoral student in Special Education at Syracuse University. I am inviting you to participate in a research study in order to complete my dissertation. Involvement in the study is voluntary, so you may choose to participate or not. This sheet will explain the study to you and please feel free to ask questions about the research if you have any. I will be happy to explain anything in detail if you wish.

I am interested in learning about your perspective on the ways that standards based reform efforts, such as the No Child Left Behind Act, have impacted special education. Interviews will occur with individuals who hold a variety of important positions at school, state, and federal levels, and who have knowledge about special education. You will be asked to participate in an interview with the researcher in a locale of your choice.

This will take approximately 1-2 hrs of your time. All information will be kept confidential and will be locked in the home of Jessica Bacon. I will assign a number to your responses, and only I (Jessica Bacon) will have the code to indicate which number belongs to which participant.

In any articles I write or any presentations that I make, I will use a made-up name for you, and I will change details about where you work, and the exact title of your job.

It will also be requested of you that I audiotape the interview. The audio content will be recorded in digital form and each interview will be transcribed by Jessica Bacon. The audio file and transcriptions will be deleted two years after the study is completed, and then disposed of. During the study, the tapes will be held in a secure location and transcriptions will be protected by passwords on the researcher's personal computer. The audio tapes will only be used for data analysis, and will not be played or used in any other venue.

The benefit of this research is that you will be helping me to understand more deeply how special education teachers and students are affected, both positively and negatively, by recent standards based reform efforts. This information should help me to offer specific policy recommendations about ways special education students could most benefit from reform efforts. As changes are constantly being made in the realm of standards based reforms, this is a particularly viable topic at the present time. By taking part in this research, you will experience the benefit of sharing your story about how you view the reform efforts.

The risks to you of participating in this study include the possibility of emotional reactions during interviews. These risks will be minimized by allowing the participant to

determine the depth, length, and locale of the interview. You may also be concerned that there is a risk that your identity might be revealed if you partake in this interview. In order to assure your confidentiality I will change your name, and will attach a vague job title to you.

If you do not want to take part, you have the right to refuse to take part, without penalty. If you decide to take part and later no longer wish to continue, you have the right to withdraw from the study at any time, without penalty.

If you have any questions, concerns, complaints about the research, contact Jessica Bacon at jkbacon@syr.edu, or at 440 241 5787, or Beth Ferri at Baferri@syr.edu. If you have any questions about your rights as a research participant, you have questions, concerns, or complaints that you wish to address to someone other than the investigator, if you cannot reach the investigator contact the Syracuse University Institutional Review Board at 315-443-3013.

All of my questions have been answered, I am over the age of 18 and I wish to participate in this research study. I have received a copy of this consent form.

For an Interview:

- ☐ I agree to be audio taped for an interview
- ☐ I do not agree to be audio taped for an interview

All information collected will be held as confidential data.

Signature of participant

Date

Printed name of participant

Signature of researcher

Date

Printed name of researcher

Curriculum Vitae

Name of author: Jessica K. Bacon

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Date of birth: December 2, 1980

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The College of Wooster

Publications:

- Bacon, J. & Causton-Theoharis, J. (2012). "It should be teamwork": An Investigation of School Practices and Parent Advocacy in Special Education. *The International Journal of Inclusive Education*. DOI 10.1080/13603116.2012.708060
- Ferri, B.A. & Bacon, J. (2011). Beyond Inclusion: Disability Studies in Early Childhood Teacher Education. In L. Goodwin & B. Fennimore (Eds.). *Promoting Social Justice for Young Children: Educating the Young Child* (pp. 137-146). New York: Springer.

Non-Refereed Publications

- The Center on Human Policy. (2007). *Florida Grassroots Self-Advocacy Toolkit*. Retrieved from <http://flsand.wordpress.com/florida-self-advocacy-tool-kit/>
- Bacon, J. (2011). Isn't it about teamwork? Investigating school practices and parent advocacy in special education. *Rethink Education: Nazareth College School of Education*. Retrieved from <http://www.naz.edu/education/education/documents/SoE%20Newsletter%20Spring%202011.pdf>

Bacon, J. & Granger, D. (2009). Disability and the LGBT community. *The Out Crowd*. (3), 25.

Professional Experience

- 2012-Present *Lehman College, Department of Counseling, Leadership, Literacy, and Special Education*. Instructor (Assistant Professor rank after Ph.D. is awarded).
- 2007-2012 *Syracuse University, Department of Teaching and Leadership*
Teaching Assistant
- 2009- 2011 *Nazareth College, Social Foundations of Education Department*
Adjunct Instructor
- 2011 *Harvard University, Graduate School of Education*
Teaching Fellow

Awards and Honors

Office of Special Education Programs (OSEP) Project Director's Conference Attendee/
Student Representative (Summer 2011)

Teaching Associate, Future Professoriate Program (Fall 2009- Spring 2010)

Creating Change Conference Awardee (Spring 2008; Spring 2009)

Preparation for Leadership Personnel Traineeship (Fall 2007-Spring, 2012)